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REPRESENTATIVE HISTORY

OF GREAT BRITAIN

AND IRELAND

THE HISTORY

COUNTIES, CITIES, AND BOROUGHES

OF THE HOUSE OF COMMONS.



BY W. H. FIELD.

THE HISTORY OF THE HOUSE OF COMMONS, FROM THE FIRST MEETING OF THE PARLIAMENT OF GREAT BRITAIN, IN THE FIRST YEAR OF THE REIGN OF KING GEORGE THE THIRD, TO THE PRESENT TIME. IN TWO VOLUMES. VOL. II.

BY W. H. FIELD.

LONDON:

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1834.

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HISTORY

OF THE

HOUSE OF COMMONS.

VOL. II.

THE
REPRESENTATIVE HISTORY
OF
G R E A T B R I T A I N
AND
IRELAND:

BEING A HISTORY OF
THE HOUSE OF COMMONS,
AND OF THE
COUNTIES, CITIES, AND BOROUGHES,
OF
THE UNITED KINGDOM,
FROM THE EARLIEST PERIOD.

BY T. H. B. OLDFIELD.

"Without a parliamentary reform, the nation will be plunged into new wars: without a parliamentary reform, you cannot be safe against bad ministers; nor can good ministers be of use to you. No honest man can, according to the present system, continue minister."—*Pitt's Speech, 1782.*

"If an Englishman," said the great Frederick of Prussia, "has no knowledge of those kings that filled the throne of Persia, if his memory is not embarrassed with that infinite number of popes that ruled the church, we are ready to excuse him: but we shall hardly get the same indulgence for him, if he is a stranger to the origin of parliaments, to the customs of his country, and to the different lines of kings who have reigned in England."—*Kett's Elements of General Knowledge, Vol. II., Page 3.*

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1816.

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HISTORY
OF THE
HOUSE OF COMMONS

OF THE
UNITED KINGDOM.

CHAPTER XXI.

*Continuation of the History of the Parliament in the Reign
of George the Third.*

ON the day that the French republic declared war against Great Britain, the parliament was engaged in discussing the correspondence of Chauvelin, the late ambassador, which was laid before the two houses by order of his Majesty. On this occasion Mr. Pitt, who had resumed his seat, made an eloquent speech, evidently calculated to prepare the minds of the people for the war then resolved upon. When the customary address was moved, an animated debate ensued, in which Mr. Whit-

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bread and Mr. Fox made a conspicuous figure.

The latter gentleman expressed his astonishment that the minister should pretend to have acted on a system of temperance and moderation, when every conciliatory proposition on the part of the French had been disdainfully rejected. Every step on our part seemed to indicate a desire to break with France. It would have implied no recognition of the validity of the government which succeeded to the monarchy, or approbation of their proceedings, to have continued our ambassador at Paris after the event of the 10th of August; and it was certainly more eligible to treat with those who exercised the powers of government in a direct than an indirect mode. The order to depart the kingdom, received by M. Chauvelin, was an act of open hostility on our part. He could not allow the declaration of war to be an unprovoked aggression on that of France, and he therefore moved a suitable amendment to the address.

Mr. Burke pronounced a vehement philippic, containing a melancholy contrast to the speeches of his better days. The public mind was so distempered at this period, that the violent ebullitions of this eloquent madman were received with admiration and applause. While the house thought itself enlightened by his arguments, it was only inflamed by his invective.

tives. Mr. Sheridan made a most animated reply to Mr. Burke, and took occasion to declare, that it was uncandid and unwarrantable in the minister to listen, in silence, to the inflammatory rants, and to encourage the war-whoop of a man breathing vengeance and destruction.—

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——Quo non præstantior alter
Ære ciere viros martemque accendere cantu.—*Virg.*

The amendment of Mr. Fox, was, after a long and interesting discussion, negatived, and the address, as moved by the minister, carried without a division.

The debates in the upper house, during this session, were too much like those of the commons to render any recital necessary. The numbers of the opposition, from the defection of the whig party, were considerably reduced, but they received animation from the abilities of the Marquis of Lansdown, Lords Lauderdale, Moira, Guildford, Stanhope, &c.

On the 18th of February Mr. Fox brought forward a string of resolutions, stating, in clear and comprehensive language, the sentiments of the friends of peace, and the grounds of difference between ministers and the members of opposition. A debate not less violent than the former took place, and upon a division, the numbers appeared to be 270 who voted for the

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previous question, against 44 who supported the motion.

Not dismayed at the fate of these resolutions, the friends of peace still used their endeavours to save their country from impending ruin. On the 21st of February, Mr. Grey moved an address to the throne, containing a masterly and comprehensive view of the whole subject matter of dispute. It concluded with stating the striking truth, that the calamities of such a war as had now commenced—a war of vengeance—not of necessity—must be aggravated in the estimation of every rational mind, by reflecting on the peculiar advantages of that fortunate situation we had so unwisely abandoned. Mr. Pitt, in a few words, declaring, that this subject required no further discussion, the motion of Mr. Grey was immediately negatived without a division.

Much obloquy having been thrown on those who had opposed the measures of administration, Mr. Sheridan, on the 4th of March, moved, that the house should resolve itself into a committee to consider of the seditious practices, &c., referred to in the King's speech; declaring, at the same time, openly and freely, that his intention was to institute a rigorous inquiry into the truth of the reports so insidiously circulated. The motion was negatived without a division; but it made a sensible impression upon

the public mind, in exonerating the opposition from the calumnies to which they had been long exposed, and in weakening the belief of many respectable persons in the reality of those pretended secret machinations against the government, which ministers, as Mr. Sheridan declared himself confident, had denounced for no other purpose than to divert the attention of the public from the actual state of things, and to betray them blindly, and with the greater facility, into a war.

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On the 15th of the same month, the attorney general, Sir John Scott, introduced his "Traitorous Correspondence Bill," by which it was not only, according to the precedent of similar bills passed at the commencement of former wars, declared to be high treason to supply the existing government of France with military stores, &c., but also to purchase lands of inheritance in that country, to invest money in any of the French funds, and many other novel and arbitrary regulations. The bill met with much opposition, and several of the clauses of it were modified and mitigated in its progress through the two houses.

At this period of the session, also, Mr. Pitt brought forward his annual statement of finance. Scarcely had the war commenced when a debt of six millions was incurred and funded. The temporary taxes imposed for defraying the ex-

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pense of the Spanish armament were made permanent; and soon after parliament adjourned for the Easter recess.

When the parliament again met, its attention was forcibly attracted by the unprecedented number of bankruptcies which had occurred since the beginning of the war, as the first blessed fruits of it, and the almost total stagnation of commercial credit. A select committee was appointed to report their opinion on the best means of applying a remedy to this great evil. Their report suggested the propriety of issuing exchequer bills to the amount of five millions, to commissioners nominated for the purpose, for the assistance and accommodation of such merchants as might apply, and who should give proper security for the sums advanced on interest for a limited time. This mode of relief, dangerous as it was in its liability of abuse, was found beneficial in its immediate operation, and the tide of commerce soon returned to its accustomed channel.

As the charter of the East India Company would expire in 1794, it was the desire of many enlightened men that the trade to the East Indies should be thrown open, and their system of commercial monopoly destroyed. But Mr. Dundas, in the present session, completely annihilated all hopes of this nature by bringing in a bill, which soon after passed into an act, to

renew the charter for twenty years, upon terms which varied little from the existing regulations.

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On the 20th of May, 1793, Mr. Grey made his celebrated motion for a reform in the system of representation. Among the petitions previously presented to the house, on this subject, was that from Sheffield, which was signed by no less than eight thousand names. But the most remarkable by far of the petitions was that framed by the society of the Friends of the People, and presented to the house by Mr. Grey. It contained a most masterly recapitulation of the abuses of the present parliamentary system of representation, expressed in energetic language, and praying the house in animated terms for an effectual reform of those abuses.

“Your petitioners *complain*,” say they, “that the number of representatives assigned to the different counties is grossly disproportioned to their comparative extent, population, and trade.

“Your petitioners *complain*, that the elective franchise is so partially and unequally distributed, and is, in so many instances, committed to bodies of men of such very limited numbers, that the majority of your honorable house is elected by less than fifteen thousand electors, which, even if the male adults in the kingdom be estimated at so low a number as three millions, is not more than the two-hundredth part of the people to be represented.

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“ Your petitioners complain, that the right of voting is regulated by no uniform or rational principle.

“ Your petitioners complain, that the exercise of the elective franchise is only renewed once in seven years.

“ Your petitioners thus distinctly state the subject matter of their complaints, that your honourable house may be convinced that they are acting from no spirit of general discontent, and that you may with more ease be enabled to inquire into the facts, and apply the remedy.”

After giving an accurate statement of the extensive mischiefs derived from these sources, they add, “ Your petitioners must now beg leave to call the attention of your honorable house to the greatest evil produced by these defects in the representation of which they complain, namely, the extent of private parliamentary patronage ; an abuse which obviously tends to exclude the great mass of the people from any substantial influence in the election of the house of commons ; and which, in its progress, threatens to usurp the sovereignty of the country, to the equal danger of the king, of the lords, and of the commons. Your petitioners are confident, that in what they have stated, they are supported by the evidence of facts ; and they trust that in conveying those facts to your honourable house, they have not been

betrayed into the language of reproach or disrespect. Anxious to preserve in its purity a constitution they love and admire, they have thought it their duty to lay before you, not general speculations deduced from theoretical opinions, but positive truths susceptible of direct proof; and if, in the performance of this task, they have been obliged to call your attention to assertions which you have not been accustomed to hear, and which they lament they are compelled to make, they intreat the indulgence of your honourable house."

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The allegations of the petition were ably dwelt upon by Mr. Grey. The principal speakers in the house took part in the important debate, which was carried on for two days. Mr. Pitt opposed the motion for referring the petitions to a committee, upon the pretext of the danger which would, in the present crisis, be incurred by what he styled a change in the constitution. Although Mr. Pitt had, from the commencement of his political career, pledged himself never to lose sight of this great object, he had only made one feeble effort for its accomplishment since his accession to power; and he opposed, almost invariably, every liberal measure which had, from time to time, been brought forward in parliament for the extension of the general system of constitutional liberty; demonstrating, by this means,

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the necessity of that radical reform which he now professed so vehemently to deprecate.

1793. The house at length divided, the votes being 41 in favour of, and 282 against, referring the petitions to a committee. On the 21st of June the parliament was prorogued.

1794. The session of parliament opened, January 21, 1794. His Majesty's speech declared "the circumstances under which they were assembled to require the most serious attention. We are," said he, "engaged in a contest, on the issue of which depend the maintenance of our constitution, laws, and religion, and the security of all civil society." The advantageous change which had taken place in Europe since the commencement of the war was particularly dwelt upon. "The circumstances by which the further progress of the allies has been hitherto impeded, not only," said the monarch, "prove the necessity of vigor and perseverance on our part, but, at the same time, *confirm the expectation* of ultimate success. Our enemies have derived the means of *temporary exertion* from a system which has enabled them to dispose arbitrarily of the lives and properties of a numerous people, and which openly violates every restraint of justice, humanity, and religion. But these efforts have also tended rapidly to exhaust the natural and real strength of the country."

The addresses moved in answer to the speech gave occasion to very warm and animated debates in both houses. In the house of peers, Lord Guildford moved an amendment, " imploring his Majesty to seize the earliest opportunity to terminate hostilities by an honourable peace." The amendment was ably supported by the Earls of Derby and Lauderdale, the Marquis of Lansdown, and the Duke of Norfolk. The secretary of state, Lord Grenville, in reply, entered into a long account of the contentions and miseries of the French. " It was by terror alone that the French were governed ; the consequences *must* soon be, that they would rise to oppose it. We had no security for a permanent peace." On the division, the voices in favor of the amendment were 12 only, to 97 against it.

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A similar amendment was moved in the house of commons by the Earl of Wycombe, and opposed by the Earl of Mornington in a speech of great length and elaboration, stating, in very forcible language, though in tedious and disgusting detail, the miserable condition of that oppressed and distracted country, and reprobating the extravagance and crimes which had disgraced the conduct of the existing government, both in a moral and political capacity. He deprecated any attempt towards a negotiation for peace, as it would imply, in

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actual circumstances, the relinquishing all hope of *indemnity* for the hazard and expense of the war; and earnestly recommended a vigorous and unremitting prosecution of hostilities.

Mr. Sheridan noticed, in sarcastic terms, the disparity between the *motives* and the *objects* of the war, as stated by the minister. Every fact proved it to be a war of choice on the part of the government of Great Britain, and from that responsibility the minister neither *can* nor *shall* disengage himself. "Sir," said Mr. Sheridan, "I agree with the noble lord, that, if his right honorable friend were to come down and propose to this house such ways and means as the minister of finance in France is compelled to resort to, he would not long retain his present situation. There is, therefore, no great danger that the experiment will be made. No, Sir; from the modesty and prudence of our present minister I should argue a very different speech from that which the noble lord has provided for him. Comparing himself and his own measures with the character and conduct of his rival, he might, without too great an assumption of merit, say, 'Do I demand of you, fellow citizens, to lend your hoards to government without interest? On the contrary, when I come to propose a loan, there is not a man of you to whom I shall not hold out an usurious profit upon every pound you devote to the necessities of

your country. Do I demand of you, my fellow placemen, and brother pensioners, that you should appropriate any part of your stipends to the public exigencies? On the contrary, am I not daily increasing your numbers and emoluments? Do I require of you, my latest and most zealous proselytes, that you should make any temporary sacrifices in support of a war, on the success of which you profess to believe that the salvation of Britain and of Europe, of civilized society depends? No, gentlemen, I seem to take advantage of your eagerness and zeal; and to prove that I do not suspect them to want such a test, I will make your interest to coincide with your principle. Instead of calling upon you to contribute to the public revenue, I will quarter some of you upon it; and while others are absorbed in patriotic apprehensions, I will *force* upon them the favorite objects of their personal vanity and ambition."

The wit and spirit of this reply excited the involuntary admiration of the house, which, however, remained unimpressed with the force and weight of its arguments. On the division taking place, there were 279 for the question, and 61 against it.

In the house of lords, the address was carried with little opposition. But on the 17th of February, the Marquis of Lansdown moved another of a different description, "to repre-

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sent to his Majesty the improbability of conquering France, and to implore him to declare, without delay, his disposition to make peace upon such just, disinterested, and liberal terms as were calculated to render the peace lasting: and that he would signify this intention to his allies, that a stop might be put to the effusion of human blood." His lordship enforced his motion by a speech replete with sound reasoning, information, and eloquence, and was most ably seconded by the Duke of Grafton, who had for many years retired from public life, but who now deemed it incumbent on him to stand forward and give his decided testimony against the present fatally destructive system of administration. The secretary of state, Lord Grenville, concluded a debate of great length by pronouncing the motion before their lordships ill-timed, inexpedient, and impracticable. On a division there appeared for the motion 13, against it 103.

The detestable severity of the sentences passed on the Scottish delinquents, Muir, Palmer, Margarot, and Skirving, even admitting the legality and justice of their conviction, was so shameful, as to rouse general interest. Mr. W. Adam, a Scottish advocate of great ability, on the 4th of February, brought forward a motion in the house of commons, which tended to a revision of the Scottish law of sedition, with a view to assimi-

late it more nearly to the mild and equitable system of English jurisprudence: but this generous attempt was negatived by a considerable majority.

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Barbarous as the law of Scotland appeared to be, it became a matter of doubt, whether the court of justiciary had not exceeded its power, in substituting the punishment of transportation for that of banishment, imposed by the act of Queen Anne, for the offence charged on those men. Mr. Adam, therefore, on the 10th of March, moved for a copy of the record to be laid before the house, upon the ground of which he intended to question the legality of the sentence; and, if his arguments prevailed with the house, as no appeal could lie from the conviction, he should propose an address to his Majesty in favor of those unfortunate men. The motion was opposed by the Lord Advocate of Scotland, who praised the Scottish criminal code in high terms, as much superior to that of England, and far better adapted to the suppression of sedition. The question was lost on a division of 139 to 82.

Mr. Adam, on the 25th of March, introduced a third motion relative to the regulation of the justiciary courts of Scotland, purporting to bring their general practice nearer to that of the English courts. But Mr. Dundas affirmed, that the Scottish nation was very happy under its own laws, and that the alterations proposed

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would be a violation of the articles of the Union. The motion was, therefore, also negatived.

The admission of a numerous body of foreign troops into the kingdom created warm debates in the house of commons. Though the house thanked his Majesty for the communication of this circumstance, it seemed as if the ministers of the crown meant to pass silently over the transaction; which, whatever circumstances might render proper, was, in a constitutional view, alarming. Mr. Grey called the attention of the house to the subject, and, in an eloquent speech, clearly proved, that the measure in question was contrary both to the spirit and letter of the constitution, as established at the Revolution; and that, whenever such a measure became necessary, ministers should either obtain the previous consent of parliament, or resort to a bill of indemnity. Mr. Grey concluded by moving, “that to employ foreigners in any situation of military trust, or to bring foreign troops into this kingdom, without the consent of parliament first had and obtained, is contrary to law.”

The more this great constitutional question was considered, the more reason there was to be dissatisfied at the manner in which it was evaded. The letter, spirit, and practice of the constitution, all militated against it. Mr. Pitt persisted in his assertion, that it was legal and

constitutional to introduce foreign troops into the kingdom without the previous consent of parliament: and said, he was yet ignorant what positive law it contravened, what precedents it violated, or what course of practice it traversed. On the question being called for, the members for the motion were 41 only, against 170 who opposed it—a division which excited the grief and indignation of every honest man and true Briton.

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A motion introduced by the Earl of Albemarle in the house of peers, similar to that of Mr. Grey, met with the same fate; though Lords Grenville, Hawkesbury, Auckland, &c. did not concur in all the sentiments respecting the great constitutional question with Mr. Pitt.

The military and naval force voted for the service of the year amounting to more than 250,000 men, including 35,000 foreigners; and a new loan was created of 11,000,000*l.* three per cents., and 2,750,000 four per cents., with the addition of a temporary annuity of about one half per cent. for 11,000,000*l.* actually borrowed by the government.

A bill introduced by Mr. Wilberforce, for abolishing that part of the slave-trade which related to the supply of foreign plantations, passed the house of commons, under the insidious patronage of Mr. Pitt; but was thrown out in the lords, in consequence of the avowed disap-

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probation of Lord Grenville, who was, however, pleased to profess himself an advocate for the principle of the bill, which was, he said, ill-timed, pending the inquiry instituted in that house respecting the general question; and in this miserable subterfuge he was seconded by Horseley, Bishop of Rochester.

Mr. Whitbread, on the 6th of March, moved an address to the King, “strongly expressive of disapprobation of the conduct of ministers, and of those measures which had preceded and succeeded the declaration of war—lamenting that his Majesty should have been advised to make a common cause with powers whose objects are undefined, but who, as there is much ground to fear, prosecute the war with views, and for purposes, solemnly disavowed by his Majesty, and abhorrent to the principles of a free nation; and requesting his Majesty to extricate himself from his present engagements, as they prevented his concluding a separate peace.” The motion was negatived by a great majority, after a warm debate. A similar motion, brought forward by the Earl of Guildford in the house of peers, was opposed by Lord Hawkesbury, and rejected.

About the same time, Mr. Harrison brought forward a motion relative to pensions and sinecure places, all of which above two hundred pounds per annum he proposed to tax, during the continuance of the war, in a certain specified and

gradual scale of proportion. Mr. Burke treated this proposition with great disdain, and compared the measure to those which had occasioned the ruin of France. As a measure of resource, he said it was trifling and inadequate; as a measure of policy, mistaken. The votes in favor of the motion were 50, against it, 119.

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On the 12th of May, Mr. Henry Dundas brought down a second message from the King, importing that seditious practices had been carried on by certain societies in London, in correspondence with other societies: that they had lately been pursued with increasing activity and boldness, and had been avowedly directed to the assembling of a pretended national convention, in contempt and defiance of the authority of parliament, on principles subversive of the existing laws and the constitution, and tending to introduce that system of anarchy prevailing in France;—that his Majesty had given orders for seizing the books and papers of those societies, which were to be laid before the house, to whom it was recommended to pursue measures necessary to prevent their pernicious tendency. A large collection was, in consequence, brought down to the house; and, after an address had been voted, a resolution was agreed to, that those papers should be referred to a committee of secrecy. A few days after the King's message was delivered, the following persons were

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committed to the Tower on a charge of high treason. Mr. Thomas Hardy, a shoemaker in Piccadilly, who officiated as secretary to the London Corresponding Society; Mr. Daniel Adams, secretary to the Society for Constitutional Information; Mr. Horne Tooke; Mr. Stewart Kyd; Mr. Jeremiah Joyce, preceptor to Lord Mahon, eldest son of the Earl of Stanhope; and Mr. John Thelwall, who had for some time delivered lectures on political subjects in London. The committee made a report on the 16th, which stated that the two societies had held correspondence with other societies in this and a neighbouring country. Extracts were produced, to shew that applications to parliament for a reform of abuses of government were held to be totally ineffectual, and that such reform was only to be obtained from the convention they were about to procure; but perseverance in petitioning was recommended, in order to cover the real intentions. In one of these letters it was proposed as a matter of deliberation, "whether the law should frighten them into compliance, or they oppose it with their own weapons, force and power?" The number of the members belonging to these different societies were estimated at no less than twenty thousand.

The belief of the existence of a most dreadful and dangerous conspiracy was attempted to be

impressed on the mind by Mr. Pitt, in a long and studied harangue. He declared that the real design of those societies was to overthrow the existing government; and concluded with pointing out the necessity there was for the legislature to enact a temporary suspension of the Habeas Corpus Act: he therefore moved for leave to bring in a bill to that effect, which was carried by a great majority, though it met, in every stage, with a most resolute and vigorous opposition. Messrs. Fox and Sheridan denied the existence of any conspiracy, or the necessity of suspending the law of Habeas Corpus; while Mr. Grey allowed, "that in extreme cases extreme powers should certainly be given; but no such case was ever made apparent in the present instance; for the charge, at most, only amounted to sedition. In the year 1782, Mr. Pitt had himself been of opinion, that the parliamentary reform could only be accomplished by resolutions of the people acting on the *prudence* of the house. This same William Pitt, who had once taught the public to believe, that nothing honest was to be expected from the house of commons, now asserted the people should do nothing for themselves; William Pitt, the reformer of that day, was now the prosecutor, and persecutor too, of reformers. But, for his own part, he declared, that, however impugned, parliamentary reform was a cause he

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would never desert; nor would he, to preserve power, or gratify ambition, ever become *an unprincipled apostate!*” The bill at length passed by a majority of five to one. It was also carried through the house of lords, but a protest was entered on the journals by the Duke of Bedford, and the Earls of Albemarle, Stanhope, and Lauderdale.

On the day parliament was prorogued, July 11th, several changes took place in the administration. Earl Fitzwilliam was made president of the council; the Duke of Portland, secretary of state for the home department; Mr. Windham, secretary at war; and Earl Spencer, lord privy seal. Before the end of the year, however, Lord Fitzwilliam was removed to the viceroyalty of Ireland, and the Earl of Mansfield, nephew to the late chief justice, succeeded to the presidency of the council. Lord Spencer was placed at the head of the admiralty, and Lord Chatham was removed from that important department to fill the office of privy seal. But no amelioration of the general system was discernible in this new coalition, and the character of the Duke of Portland suffered a considerable stain by his acceptance of an office which he had, fourteen years before, strenuously laboured to abolish as superfluous in itself, and affording the means of corrupt influence, and that under a minister whose appointment to

office his Grace had reprobated as an insult to parliament and the nation. Ten new peers were created, and the Duke of Portland further rewarded with a blue ribband.

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Under the impression of a pretended plot to assassinate the King, a special commission of oyer and terminer was issued on the tenth of September, for the trial of the state prisoners confined in the Tower on a charge of high-treason. On the second of October it was opened at the sessions-house, Clerkenwell, by Lord Chief-justice Eyre, in an elaborate charge to the grand jury. Bills were then found against all who had been taken up in May, except Daniel Adams. Hardy was first put on his trial at the Old Bailey, which commenced on the 28th of October, and continued with short adjournments until the 5th of November. Happily for the prisoner, and eventually for the public, Mr. Erskine, so long the ornament of his profession, was retained as his counsel, and employed his great talents and brilliant eloquence with the most complete success. After consulting together for three hours, the jury, who, though the avowed friends of administration, were men of impartiality, intelligence, and of characters highly respectable, returned a verdict of *not guilty*. Never was a verdict pronounced in a British court of justice which gave more general satisfaction, or was more important in

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its consequences. The fountain of criminal justice retained all its purity, notwithstanding the corruptions which pervaded almost every part of the legislative and executive branches of government, and the rights of juries remained triumphant.

On the seventeenth of November, John Horne Tooke was put on his trial. The Duke of Richmond, Earl Camden, Mr. Pitt, and Mr. Beaufoy, were subpoenaed by the prisoner; but the examination of Mr. Pitt by Mr. Tooke and his counsel, formed the most important part of the trial, as it tended to prove, that from the year 1780 to 1782, he himself had been actively engaged with Mr. Tooke and many others, in measures to procure a parliamentary reform, although he now deemed the attempt dangerous and improper. Mr. Erskine, who was of course counsel for Mr. Tooke, in a most eloquent and powerful manner, contended that the conduct of his client was directed only to the same object, and the measures resorted to, so far from criminal, were perfectly constitutional. Mr. Pitt was extremely guarded in his replies, and had very little recollection of what passed at the meeting which he attended. A letter he had written to Mr. Tooke at that time on the subject, was handed to him, which he could scarcely recognize, and which the judge would not permit to be read. Mr.

Sheridan, who was likewise engaged in similar pursuits, and subpoenaed by Mr. Tooke, gave an unqualified evidence respecting the proceedings at those meetings, and discovered a much more retentive memory. The trial continued unto the Saturday following, when the jury were out of court only six minutes, and returned a verdict of *Not Guilty*. Upon this trial Mr. Erskine, in his address to the jury, said, "This was a case altogether new; for when a man is impeached by the house of commons, he is not tried by a jury of his country; because the commons being the accusers, as the representatives of the people at large, the jury became the accusers. In such cases the lords in parliament have been appointed as a court of justice; and an Englishman, a common man, is not forced before the house of lords, when accused by the commons, but he goes there because it is the only place where he can stand for justice; but the lords of England in this case were also accusers, and joined with the commons in bringing this matter before you." After further enlarging on this topic he concluded with saying, "At last the judges were consulted to know how they should deal with a cause that had no parallel, and was nothing like what any man before had to encounter with."

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The trials of Thelwall and others afterwards

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took place, when they likewise met with similar verdicts of acquittal.

On the thirtieth of December, 1794, the session of parliament opened with a speech from the throne, which held out bold and fallacious hopes of success. The disappointments and reverses experienced in the last campaign were glanced at, and his majesty retained a firm conviction of the necessity of persisting in a vigorous prosecution of the just and necessary war, in which the country was embarked; as from firmness and perseverance only, the restoration of peace on safe and honourable grounds could be hoped for. Thus were the natural beneficence of disposition, and rectitude of intention in the monarch, rendered wholly unavailing by the evil counsels of men, untaught by experience, and grown obstinate in error. In the house of commons the address to his majesty was moved by Sir E. Knatchbull, and seconded by Mr. Canning. Mr. Wilberforce, an intimate friend of the minister, and who had hitherto warmly supported him in all his measures, strongly opposed the address, as the house pledged itself to prosecute the war until there was a counter-revolution in France. He therefore moved an amendment, containing the substance of the arguments he had advanced in his speech,

which was seconded by Mr. Duncombe, the other member for the county of York, and supported by Mr. Burden. But the amendment was rejected by a great majority, and the address, in its original form, was carried without a division. In the house of lords, the Marquis of Lansdown expatiated on the destructive consequences which had resulted, and which he feared would result from the war, and proposed an amendment to the address, which was negatived.

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The attorney-general, on the 25th of January, 1795, moved for a renewal of the suspension of the Habeas Corpus Act, in direct opposition to the recorded verdict of three juries, that no treasonable conspiracy existed. This was strongly contested by the members in opposition. On a division, the numbers were 230 to 53, and the bill being transmitted to the lords, passed there by a considerable majority, but accompanied by a vigorous protest signed by the Dukes of Norfolk and Bedford, and the Earls of Lauderdale and Guildford.

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On the 23d of February, Mr. Pitt came forward with his annual statement of supplies, ways and means. One hundred thousand seamen, and a hundred and fifty thousand landsmen, including militia, were voted for the service of the year. The loan proposed was eighteen millions, and sixteen hundred thou-

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sand pounds were to be raised by new taxes of various denominations. The whole expense of the “just and necessary” war, which had lasted but two years, was moderately computed, including the unfunded debt, at fifty millions.

Several attempts had been made, early in this session, to induce parliament to come to some general resolution, which might render it necessary for the executive government to negotiate for peace. Mr. Grey introduced a motion to this purport, which was so seasonable and popular, that Mr. Pitt could not venture to put a direct negative upon it. He therefore insidiously counteracted the proposition by moving, as an amendment, “That, under the present circumstances, this house feels itself called upon to declare its determination firmly and steadily to support his majesty in the vigorous prosecution of the war, as affording at this time the only reasonable expectation of permanent security and peace to this country; and that for the attainment of these objects, this house relies with equal confidence on his majesty’s intention, to employ vigorously the force and resources of the country in support of its essential interests, and on the desire uniformly manifested by his majesty to effect a pacification on just and honorable grounds with any government in France, under what-

ever form, which shall appear capable of maintaining the accustomed relations of peace and amity with other countries.”

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Mr. Wilberforce advocated the propriety of declaring the republican form of government no bar to negotiation, and he thought the terms of the amendment not sufficiently explicit. Mr. Fox appealed to the house, “Whether it was to be expected that the French would be the first to negotiate after the declarations made against them by ministers? What, he asked, would have been the feelings of Englishmen, if the convention had determined never to treat with them till there was a reform in the English government? We must do away all our arrogant expressions against France, and then, even though we should not be able to obtain peace, yet we should take from them the cause of their enthusiasm, that which roused every national feeling, and had carried them to unparalleled exertions.” The original motion was at length negatived, and the amendment of Mr. Pitt adopted.

Not discouraged with the unsuccessfulness of his former motion, and wishing to improve whatever impression had been made by it, Mr. Grey, on the 6th of February, moved several judicious resolutions: “That, with a view to restore the blessings of peace, every formal difficulty standing in the way of a pacification

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with the powers we were at war with, ought, in the first instance, to be removed; and as the existence of a competent power in France had been acknowledged by several powers in Europe as well as the United States in America, with all of whom, France, during the present war, maintained the accustomed relations of peace and amity; and as the existence of such a competent power has been in several instances virtually admitted, even by the belligerent powers themselves, some of whom have entered into public resolutions to make overtures for peace—this house is of opinion, that the government now existing in France is competent to entertain and conclude a negotiation for peace with Great Britain.” After an animated debate, the previous question, moved by Mr. Dundas, was carried by 190 to 60. In the house of peers the Duke of Bedford made nearly a similar motion, which was opposed, and the previous question moved by Lord Hawkesbury, against which the Duke of Bedford, and the Earls of Lauderdale, Buckinghamshire, and Guildford, entered their protest.

The nation now seemed wearied and dispirited. The bright prospect held out at the commencement of the war had vanished, and they were not yet roused to higher exertion by the sense of danger and self-preservation.

Taking advantage of this state of public feeling, and of the defection of Mr. Wilberforce and his party from the court, Mr. Fox moved, on the 24th of March, "That the house should resolve itself into a committee, to inquire into the state of the nation." This solemn mode of inquiry ought not, he observed, ever to be resorted to, but in cases of peculiar emergency, and such he esteemed the present. In justification of his motion, nothing more, he thought, was necessary than to state to the house, that after a war of two years we had been uniformly unsuccessful; had relinquished the object for which the war was said to be undertaken, while the enemy had gained more than the wildest imaginations ever ascribed either to their ambition or to their principles. An inquiry must, in one view, be favorable even to ministers themselves. If we had, as ministers asserted, entered into the war from necessity, and had conducted it, as they had also asserted, with wisdom and vigor, the result would be absolute despair. But perhaps they did not do their cause justice. Perhaps the cause of failure might inhere in the theoretic principle, and their practical measures, founded upon that erroneous principle, might be judicious and proper. Perhaps, on the other hand, their theory was sound and just, but their mode of carrying it into execution, their

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practical measures, might be found unwise and indigested. In either case the public would receive some satisfaction; and they would, upon inquiry, either change the principle or censure the conduct; and ministers would be relieved from one part, at least, of the two-fold imputation, which, previous to any inquiry, must hang over their heads. Mr. Pitt urged, that such a committee as that required, was unnecessary and improper; it could answer no good purpose at the present moment. Whenever a *proper* period arrived for investigating the conduct of the executive government, it would be found marked by moderation and forbearance. He positively disavowed the proposition, that a nation, on entering into a war, was bound to state all its objects, and thus preclude itself from taking advantage of fortuitous circumstances as they might arise. Mr. Pitt concluded with moving the question of adjournment, which, after a debate of many hours, was carried by a very considerable majority. And it is worthy of remark that, on this occasion, as on various others, a great proportion of the members present left the house without voting.

The last effort to rescue the nation from the calamities of an unjust and unnecessary war, was made by Mr. Wilberforce, on the 27th of May. The motion he meant to propose, merely

prepared the way for treating, and declared, CHAP.
“That it is the opinion of the house, that the XXI.
present circumstances of France ought not to
preclude the British government from enter- 1795.
taining proposals for a general pacification; and
that it is for the interest of Great Britain to
meake peace with France, if it can be fairly and
honorably effected.”

This motion was vehemently opposed by Mr. Windham, who avowed his opinion, that peace, at the present moment, was neither safe nor honorable. It was evident, he said, that the exertions of the revolutionary government had relaxed, that its fortune had reached its height, and that it exhibited unequivocal symptoms of decay. The motion, he observed, was calculated to remove ministers from their situations; while the prospect of ultimate success, from a continuance of the war, was infinitely more flattering than ever: it tended to promote disaffection at home—to strengthen the enemy. He concluded with moving the order of the day. Mr. Pitt corroborated the assertions of Mr. Windham, and the motion was superseded on a division of 211 to 88; so that the minority had evidently gained ground in the course of the session. Lord Lauderdale made a similar motion in the upper house, which was negatived by a considerable majority.

In the course of the session Mr. Wilberforce

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XXI. of the slave trade, and was supported by Mr.
1795. Whitbread, Mr. William Smith, and Mr. Pitt.
The house, however, was now grown cold and
callous to all argument on this important sub-
ject; and, in the proposition of Mr. Dundas,
who still professed himself friendly to the
object, but adverse to the time, the considera-
tion of the question was adjourned for six
months.

The long depending cause of Mr. Hastings,
which begun on the 12th of February, 1788,
terminated during the present session, and he
was acquitted of the charges brought against
him. This trial had attracted, by its import-
ance and duration, the attention of all Europe.
The speaker of the house of commons, in giving
thanks to the managers of the impeachment, in
his official capacity, said, that their exertions in
this cause had conferred honor, not on them-
selves only, but on the house, under whose
authority they had acted; and he referred, with
dignity and propriety, to the increased security
which the constitution had derived, in the course
of their proceedings, on this trial, from the re-
cognition and full confirmation of the principle,
that an impeachment is not discontinued by a
dissolution of parliament. On the 27th of
June, 1795, the session terminated.

The parliament was summoned to meet on

the 29th of October, which day was rendered remarkable for an atrocious attempt on the life of his Majesty. This shocking and unparalleled outrage excited the deep and universal resentment of all orders of persons throughout the nation. Addresses from both houses of parliament, the city of London, &c., were presented to the King, expressing, in strong terms, their abhorrence of the late atrocious procedure. Immediately after this business was disposed of, the speech delivered from the throne, was taken into consideration. His Majesty declared, "That it was a great satisfaction to him to reflect, that notwithstanding the many events unfavorable to the common cause, the prospect resulting from the general situation of affairs, had, in many important respects, been materially improved in the course of the present year. That the distraction and anarchy which had so long prevailed in France, had now led to a crisis, of which it was yet impossible to see the issue. Should this crisis terminate in any order of things compatible with the tranquillity of other countries, and affording a reasonable expectation of security and permanence in any treaty which might be concluded, the appearance of a disposition to negotiate for a general peace, on just and suitable terms, would not fail on his part to be met with an earnest desire to give it the fullest and speediest effect."

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The address being moved and seconded in the house of commons, Mr. Fox rose, and, in very indignant language, reprobated both the speech and its authors. He observed, that the specious theoretical arguments of the minister for the continuance of the war, might suit well a literary or political disputant, and might amuse in a club-room, or a pamphlet, but they were utterly unworthy of any man who took upon himself the name and office of a statesman. Last session, the ministers had, by a resolution of parliament, avowed their readiness to enter into a negotiation whenever a government was established in France, capable of maintaining the relations of peace and amity. But was negotiation offered when such a government appeared? The only true and wise dependence for the continuation of peace, was the equity of the terms on which it was made, and the interest both parties had in keeping it. The offer of negotiation, he thought, ought to come from us, as having made declarations which stood in the way of negotiation. He therefore moved an amendment, praying his Majesty, that such terms of peace should be offered to the French republic as should be consistent with the honor of the crown, and with the security and interests of the people."

The Duke of Bedford, in the house of lords, proposed an amendment similar to that of Mr.

Fox: but, in both houses, the addresses, in their original form, were carried by considerable majorities.

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On the 30th of November, Mr. Pitt moved for leave to bring in a bill for the more effectually preventing seditious meetings and assemblies. A bill similar to this had passed the house of lords, though not without opposition. On this occasion Mr. Pitt took an opportunity of descending on the insults committed upon the person of the King on the first day of the session. He said, that the purport of his motion was not to alter or enforce the laws for the King's safety, but to prevent these meetings to which all the mischiefs might be attributed. If the house meant that such enormities should be totally averted, they should adopt some means of putting an end to those seditious assemblies, which served as vehicles to faction and disloyalty, which fanned and kept alive the flame of disaffection, and filled the minds of the people with discontent.

If Mr. Pitt had proposed some temporary measure, adapted to the real exigency of the times, for the prevention of tumultuous popular assemblies, his precaution would not have been disputed, but the disguised object of this bill was to put an end to all public discussion, or deliberative investigation of public measures. By

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a clause of the proposed bill, if fifty persons or more met, and, after an order to disperse, *twelve* shall remain one hour, it was made DEATH without benefit of clergy. The right of petitioning, that most valuable of political privileges, and which involves in it the right of free discussion and investigation of all public measures, was not likely to be exercised on any obnoxious subject, when chained and fettered by such execrable restrictions.

This measure met with so vigorous an opposition in the house, as well as throughout the country, as to prove, that the minister had not succeeded in his attempts to extinguish the flame of liberty in England. If the principle of the bill were admitted by the house, Mr. Fox protested “that in the discussion of the detail he would take no part. Public meetings for the discussion of public topics were not only lawful, but of the very essence of the constitution, and Englishmen had immemorially enjoyed this liberty. Now they are no longer to do so, unless notice be given to a magistrate empowered to arrest any person whom, in his wisdom he might deem seditious; and who had authority to dissolve the meeting by the *fiat* of his own will. Say at once that a free constitution is no longer suitable to England! Conduct yourselves as the senators of Denmark formerly

did! Renounce your liberties, and accept of despotism. But do not mock the understanding and feeling of mankind, by telling the world you are free. Can a meeting under such restraints as the bill imposes and requires, be called a meeting of freemen? Will the people of this country suffer their feelings to be thus insulted? Or is it possible that they can regard this measure in any other light than as a total extinction of their liberty?" Mr. Fox concluded a most able vindication of the rights of the people by declaring his resolution, if the measure was persisted in, of moving a call of the house.

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Mr. Wilberforce on this occasion renounced the honorable and independent character he had sustained during the last two sessions, and declared his hearty acquiescence in the measure proposed by his *right honorable* friend, and he thought the administration entitled to the thanks of the country, for adopting the necessary measures of restraint and prevention. The bill was ordered in by a majority of 214 to 42 voices.

Mr. Fox now moved for a call of the house, which was acceded to by Mr. Pitt, who observed, that the bill would be produced in a few days, and that it might be read a first and second time before the call. Mr. Grey urged the right the people of England had to expect, that a bill of such dreadful import should at least be

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discussed in a full house, and hoped time would be given to utter the last bitter groans of expiring liberty. The call was at length fixed for the 24th of November. While these bills were in agitation, the nation, or at least all those who retained any sense of the value of constitutional liberty, had taken the alarm, and meetings in every part of the country were convened to petition parliament against the passing them into a law. Near one hundred petitions were presented against the bills, signed by vast numbers; but no consideration could check the minister in his career, supported as he was by great majorities of both houses. On the 16th of November the Treason Bill was sent down from the house of lords, and, after encountering great opposition in every stage, it finally passed into a law disgraceful to the code of British statutes.

On the 8th of December a message from the King was delivered to the house by Mr. Pitt, announcing the re-establishment of a regular government in France, and expressive of his readiness to meet any negotiation on the part of the enemy, with a desire to give it the speediest effect in producing a peace. No step, however, was apparently taken by government towards a pacification. Mr. Grey moved, soon after the recess, for an address to the king, praying him to communicate with the executive government

of the French republic, his readiness to meet any disposition to negotiate, with an earnest desire to give it the speediest effect. Mr. Pitt, in reply, urged confidence in ministers, and asserted that the French had almost exhausted their means of carrying on the war. He said that, since his Majesty's message had been delivered, ministry had taken every measure, consistent with the interests of the country, to accomplish the object of it. The point to be considered was, the probability of obtaining just and honourable terms; but those terms must be very different from those which the public declarations of the French had, for a long time past, indicated. The question being put, the pacific motion of Mr. Grey was negatived by a great majority.

Mr. Wilberforce, on the 18th of February, 1796, renewed his annual motion for the repeal of the slave trade, and was supported by Mr. Fox, Mr. Pitt, and others, with eloquence and ability. The usual opposition was given to it, by Mr. Dundas, Sir William Yonge, and General Tarleton, member for Liverpool, the chief emporium of this detestable traffic. It was moved at length to postpone the further consideration of the business for four months, which was ultimately carried, no doubt to the chagrin of the premier, whose influence, unfortunately, extended to every question but this.

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The minister had, in the month of December, 1795, proposed a loan of eighteen millions, exclusive of a note of credit for two millions and a half. He now a second time came forward on the 18th of March with a proposition for a second loan to the amount of seven millions and a half more, in order, as he stated, to take out of the market a great proportion of the paper constituting the unfunded debt, which was contracted for on nearly the same terms as the former. Forty-three millions and a half sterling were raised in the short space of fourteen months, for paying the interest upon which, new taxes were imposed, in perpetuity, to the amount of three millions three hundred thousand pounds. Instead of blushing at the enormity of these demands, Mr. Pitt hoped nothing would discourage the house from persevering in a war when its end was so laudable. "The ultimate issue of the contest," he exclaimed, "must be glorious, if we are not wanting to ourselves! We shall, by the blessing of Providence, deliver ourselves from the worst of dangers, and at the same time transmit to posterity a most useful lesson, that a bankrupt, turbulent, and lawless nation, cannot measure itself with the spontaneous and well regulated government of a free and loyal country." The resolutions moved by Mr. Pitt, were, after a warm discussion, agreed to.

Since the commencement of the war, three

years had only elapsed, and an additional debt, funded and unfunded, had been contracted, scarcely short of one hundred millions, while all inquiry into the necessity of this incredible and wanton expenditure was uniformly denied. Whatever sums had been voted by parliament were invariably upon estimate, but the real expense was always much greater. In addition to the parliamentary grants, enormous sums of money had been expended without the consent of parliament. A vast floating debt remained to be provided for, notwithstanding the loans already negotiated. The amount of the taxes imposed during the war, or existing previous to it, fell short of the annual revenue which would be necessary for the support, even of a peace establishment.

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The financial resolutions moved by Mr. Grey, in the beginning of May, tended to establish conclusions, that ministers had violated the express stipulations of the Appropriation Act, by applying grants to other services than those for which they were voted; that they had presented false accounts to the house, to conceal this infraction. The resolutions were no less than fifteen in number, the last of which stated, that, in the instances specified, his Majesty's ministers had been guilty of presenting false accounts, calculated to mislead the judgment of the house—of a flagrant violation of various

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acts of parliament, and of a gross misapplication of the public money: and Mr. Grey declared, at the same time, his purpose, if those resolutions were carried, to make them the basis of an impeachment for high crimes and misdemeanors.

Mr. Pitt's defence was vague and general, "The Act of Appropriation had at no time," he said, "been strictly adhered to, though he allowed that the recent deviations had been greater than formerly. Considering the variety of operations to which the views of ministers must be directed, in such a war as we were engaged in, and the necessary changes which must take place, it would ill accord with the public service to bind them down by the strict letter of the act." The previous question at length released the minister from one of the most disagreeable situations in which he had ever found himself, and the resolutions of Mr. Grey were rejected by a vast majority.

The Marquis of Lansdown, actuated by the same views with Mr. Grey, moved the house of lords for the appointment of a committee to inquire into the state of the public expenditure. "The time," his lordship observed, "would fail him, were he to enumerate all the abuses which had been introduced and sanctioned by ministers. He was tired of inspecting that register of corruption, *the RED BOOK*." But, above all

other abuses and innovations, his lordship deprecated that which, he said, swallowed up all the rest—the power insidiously acquired by the minister of obtaining advances from the Bank to an unlimited amount. By a most salutary regulation of the original act of King William, the Bank was restricted within very narrow limits. But this restraint had been repealed by a clause so artfully inserted in a late act of parliament, that had it not been for the vigilance of a noble lord then present, (Lord Lauderdale,) it would have passed wholly unnoticed. In consequence of this repeal, the Bank might stretch their credit to government at pleasure; and the minister, without consent of parliament, had an ample resource within his reach. His lordship wished to have it thoroughly ascertained, whether, and how far, the public expenses had increased beyond the supplies annually granted by parliament. After an animated discussion, the motion was negatived by a majority of 104 to 12.

Addresses to the king on the misconduct of ministry, and praying that his Majesty would direct his servants to take such measures as might give the country some reasonable hope of the establishment of a peace suitable to the interests of Great Britain, and likely to preserve the tranquillity of Europe, were moved by the Earl of Guildford and Mr. Fox. These addresses

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were written in a clear and comprehensive manner, and created warm debates in both houses. The ministers, mortified and stung to the quick, attempted in vain to clear themselves from the severe and heavy imputations contained in them—imputations which the verdict of a discerning and impartial posterity will undoubtedly ratify. But though their opponents had the advantage in point of argument, the ministry had the pre-eminence in numbers, and the motions in both houses were negatived by considerable majorities.

The public business now concluded, the session was terminated on the 19th of May, 1796, with a speech from the throne, filled with the highest compliments to both houses, on “their uniform wisdom, temper, and firmness.” On the following day, a proclamation was issued for their dissolution, and an end was put to the political existence of a parliament, which had so blindly and rashly added to the enormous pressure of the public burthens, and involved the nation in a contest, the most ruinous, unjust, and unnecessary, in which it had ever been engaged since the foundation of the English monarchy.

CHAPTER XXII.

*Continuation of the History of Parliament during the Reign
of George the Third.*

THE new parliament was convened at a season unusually early : on the 6th of October, 1796. The speech from the throne afforded much satisfaction, as the harbinger of returning peace. The addresses, therefore, being conceived in general and moderate terms, were acceded to with little opposition in either house.

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In addition to the numerous levies of land forces, Mr. Pitt proposed to raise a number of irregular cavalry. Every person who kept ten horses was to provide one horse and a horseman to serve in a corps of cavalry ; those who kept more than ten to provide in the same proportion ; and those who kept fewer, to form themselves into classes, and decide who, at the common expense, should provide the horse and horseman. This plan was, in a great measure, afterwards superseded, by the numerous volunteer corps of yeoman cavalry about this time embodied in all parts of the kingdom.

The chancellor of the exchequer, in the beginning of December, made his annual statement of finance to the house ; according to

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which, eighteen millions would be wanting by way of loan, exclusive of five millions and a half, of exchequer bills, and about thirteen millions and a half of navy bills, the interest of all which amounted to upwards of two millions per annum of additional and perpetual taxes. Mr. Pitt took this opportunity of acknowledging that he had made an actual advance to the Emperor of Germany of various sums of money, to the amount of 1,200,000*l.*; and that he should propose a vote of three millions, to enable ministers to give the necessary assistance to our allies, in case we were obliged to persevere in the war. Mr. Fox, with great warmth and energy, stated, that the minister had it, undoubtedly, in his power, many months ago, to have consulted the house as to this subject; that having neglected so to do, and manifested a determination to dispose of the public money without the knowledge or authority of the house, he ought for this conduct to be *impeached*. After a variety of observations, which did not admit of any answer, the resolutions moved by Mr. Pitt were successively put and carried.

In order to compel Mr. Pitt to state the specific grounds on which he ventured on a step so manifestly contrary to the spirit of the constitution, and by no means in consistency with the sense of the house, and much less of the

nation, Mr. Fox, on the 14th of December, moved, "That his Majesty's ministers having, at different times, and during the sitting of parliament, directed the issue of various sums of money for the service of his Imperial Majesty, &c., have acted contrary to the trust reposed in them, and have thereby violated the constitutional privileges of this house." This motion was seconded by Mr. Combe, one of the representatives of the city of London, in obedience to the instructions of his constituents, who, in common hall, had, in the most express manner, directed their representatives to censure the conduct of ministers, in granting away the public money. Mr. Pitt rose reluctantly in his defence, which consisted merely in citing a series of parliamentary precedents totally irrelevant to the question. To relieve the minister from his shameful embarrassment, an amendment to Mr. Fox's motion was at length proposed by one of his most moderate partizans, purporting, "that advancing the several sums of money in the account then before the house, for the service of his Imperial Majesty, though not to be drawn into *precedent*, but upon occasions of special necessity, was a justifiable exercise, *under the circumstances of the case*, of the discretion vested in his Majesty's ministers by the vote of credit." The house, after a long and vehement debate, at length divided on

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the amendment, which was carried by a large majority.

Messages from the King to both houses of parliament were delivered on the 27th of December, stating, that the negotiations for peace had completely failed. This gave rise to severe animadversions on the conduct of the ministers, as it appeared from memorials, &c. submitted to the consideration of parliament, that they had not been so sincere in their professions of peace, as their declarations had indicated.

The remittances to the Emperor and other foreign powers pressed so heavily on the Bank of England, that early in 1795 the court of directors informed the chancellor of the exchequer, "that it was their wish he would arrange his finances in such a way, as not to depend on any further assistance from them." The large drains of specie from the Bank filled the minds of the directors with serious apprehensions. In the ensuing year, however, Mr. Pitt renewed his demands, and applied for two advances of 800,000*l.* each. These sums they at last agreed, with great reluctance, to advance; and a memorial was presented by the governor to Mr. Pitt, for the express purpose of being laid before his Majesty's cabinet council. This memorial was sufficient, from the truths it contained, to have alarmed any minister; but the requisitions of Mr. Pitt became more urgent and pressing

than ever. The apprehension at this time of an invasion from France, and, perhaps, a secret suspicion of the situation of the Bank, occasioned such a run upon the company, as to excite the utmost anxiety. When these alarming circumstances were laid before the minister, he informed the deputation from the directors, “that he must be prepared with some resolution to bring forward in the council, for a proclamation to stop the issue of cash from the Bank, and to give the security of parliament to the notes of the Bank; in consequence of which, he should think it might be proper to appoint a secret committee of the house of commons to look into the state of the Bank affairs.” In consequence of this intimation, a board of council was held, and an order published on the 26th of February, 1797, prohibiting the directors from “issuing any cash in payment until the sense of parliament could be taken on the subject, and proper measures adopted for maintaining the means of circulation, and supporting the public and commercial credit of the country.” On the following day, the order of council was laid before both houses, and the affairs of the Bank became the subject of serious investigation.

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It appeared from the report of the committee, that the amount of demands upon the Bank was 13,770,000*l.*; that their assets, exclusive of

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the permanent debt due from government, amounted to 17,597,000*l.*; so that there remained a balance of 3,826,000*l.*, exclusive of the capital sum of 11,600,000*l.* three per cent. stock, lent at different times to government on the security of parliament. This being estimated at fifty per cent., agreeably to the actual price of the three per cents., the whole of the capital vested in the corporation of the Bank, after the payment of debts, amounted to the vast sum of 9,626,000*l.* The excessive alarm excited in the mercantile world by the stoppage of the Bank, was allayed by the publication of this report. A bill was introduced, confirming the order of council, and suspending the law for preventing the issue of notes under five pounds value; in consequence of which there was an immediate circulation of notes of twenty shillings and forty shillings value. A clause was inserted in the bill for preventing any person being held to bail who offered Bank of England notes in discharge of debts, which was, to every practical purpose, making them a legal tender. Thus the disastrous circumstances which might have been, with great probability, supposed to result from the conduct of the minister, were happily found to be fallacious, and the public and commercial credit of the country was again restored.

The vast sums which the minister had drawn

from the public purse seemed inadequate to his inordinate ambition. On the 24th of April, when the supplies of the year were supposed to be voted, and provision made for the exigencies of government, he suddenly came forward with proposals for another loan, comprehending a great variety of deficiencies, and covering an enormous mass of floating and unfunded debt. There was added a vote of credit for three millions to remit to the Emperor. The whole sum was eighteen millions; and for this second loan, raised upon terms exorbitant and usurious, taxes were again imposed to the amount of 1,284,000*l.*, which, with the taxes of the preceding loans, made up the sum of 3,416,000*l.* Such were the immense supplies extorted from the people to carry on a "*just and necessary*" war, and which had brought nothing but ruin.

The Earl of Moira, on the 21st of March, made an important motion in the house of peers, for an address to his Majesty respecting Ireland; and a similar one was, two days afterwards, brought forward in the house of commons by Mr. Fox, which he enforced by a speech replete with eloquence and political wisdom. He said "that the bulk of the Irish nation sighed for the substantial blessings of a free constitution. When we wanted the assistance of the catholics, was it polite to refuse their demands? or would their submission to laws they detested, last no

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longer than our force and impotency? He knew of no other way of governing mankind than by conciliating them. Rigor had already been attempted—let conciliation be tried before the last appeal is hazarded. Let the whole people of Ireland enjoy the same principles, the same system, the same operation of government, and all classes, an equal chance of emolument. The more Ireland feels the advantages of her connection with England, the more will she be bound to English interests.” Mr. Fox next touched upon the removal of Lord Fitzwilliam from the government of that country, whose benevolent and patriotic principles had gained him the esteem of all ranks in Ireland. He concluded his speech by moving an address to his Majesty, “that he would be pleased to take into consideration the perturbed state of Ireland, and to adopt such lenient measures as might appear best calculated to restore tranquillity and conciliate affection.”

This motion was seconded by Sir Francis Burdett, a young man of great personal and political rectitude of character, whose just and lofty sentiments of constitutional liberty have become worthy of example. After a variety of speeches on both sides the house divided, the numbers being 84 against 220—a majority much less than usual.

Many popular meetings were held in the course of the spring, agreeably to the restric-

tions of the new act, and some faint hopes were entertained that the spirit of the people would be roused to something like national exertion. Their object was to petition the King for the dismissal of ministers. That from the city of Westminster was full of energy, and attracted much attention. It commenced by stating, "that in the four years' prosecution of the war, ministers had squandered upwards of 130 millions of money, and had imposed taxes to the amount of six millions and a half annually." The petition then proceeds in the following terms: "We humbly represent to your Majesty, that in the hands of those ministers nothing has succeeded: instead of restoring monarchy to France, they have been compelled to recognize the republic there established, and to offer proposals of peace to it.

"In their negotiations for peace they have been unsuccessful—it was to be expected. When they asked peace, they were abject, but not sincere; they acknowledged their impotence, but not their errors. They discovered the most hostile intentions against France, at the time they proved their utter inability to contend with her.

"When they wanted to obtain our consent to the war, they assured us it was necessary for the safety of our commerce. At this moment, most of the ports of Europe were shut against

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us ; goods to an immense amount are lying upon the hands of our merchants, and the manufacturing poor are starving by thousands.

“ They assured us the war was necessary for the preservation of property and public credit. They have rendered every man’s property subject to an order of the privy council, and the Bank of England has stopped payment.

“ They assured us the war was necessary for the preservation of the constitution. They have destroyed its best part, which is its liberty, by oppressive restrictions upon the right of petitioning, and upon the freedom of the press : by prosecuting innocent men under false pretences ; by sending money to foreign princes without the consent of parliament ; while, by erecting barracks throughout the kingdom, they give us reason to suspect their intention of finally subjecting the people to military despotism.

“ They assured us the war was necessary for the preservation of the unity of our empire. But they have so conducted, and are still so conducting themselves in Ireland, as to alienate the affections of that brave, loyal, but oppressed and persecuted nation, and to expose the most flourishing of its provinces to all the horrors of lawless military violence.

“ These are no common errors ; they are great crimes ; and of these crimes, before God and our country, we accuse your ministers.

They have tarnished the national honour and glory : they have oppressed the poor with almost intolerable burdens ; they have poisoned the intercourse of private life ; they have given a fatal blow to public credit ; they have divided the empire ; and they have subverted the constitution."

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These petitions encouraged the members of the opposition in both houses to bring forward motions of the same purport. One was made by the Earl of Suffolk on the 27th of March, who moved an address to his Majesty, " humbly requesting him to dismiss from his councils his minister, the first lord of the treasury, whose pernicious measures had deprived him of the confidence of his country." The same subject was brought forward in the lower house by Mr. Combe, one of the members for the city of London. Both motions, however, were lost in a great majority, and the minister was suffered to pursue the same measures, which neither a sense of his errors, nor the state of the country, could prompt him to abandon.

A motion relative to a change in the system of parliamentary representation was again made by Mr. Grey, on the 26th of March. He affirmed, " that he sought not to alter any part of the constitution, but merely to obtain for the people a full, fair, and free representation in parliament. He proposed, that the county representation should remain upon the same

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principle, only that the number should be increased from ninety-two to one hundred and thirteen. The addition to be made to the larger counties in proportion to their population. To put an end to every species of compromise, counties should be divided into districts, each of which should return one representative: the right of elective franchise to be extended to copyholders and leaseholders. The remaining four hundred members to be returned by one description of persons, namely, *householders*. The poll to be taken throughout the kingdom at one time: and the same person not to be permitted to vote for more than one member. The duration of parliament to be limited to three years. Upon this plan, Mr. Grey observed, the members would hold their seats, not, indeed, on the basis of universal suffrage, but of universal representation. The qualification would be so fixed, that no man, however mean, might not hope, by honest industry, and fair exertions, to raise himself to this distinction." Mr. Erskine seconded the motion of Mr. Grey, in a speech replete with argumentative eloquence, in which he reverted to those better days, when the liberties of the country were established by the exercise of the constitutional powers of that house. "We could recollect with pride and triumph the glorious exertions of our fore-fathers within those

walls, when tyranny, century after century, was combated and defeated, and the freedom of Englishmen was asserted and confirmed. The only cure for the evils of government was to make the house of commons what it had been in the days of our ancestors, when it preserved the liberties of the people, and was crowned with their love and veneration.

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Mr. Fox observed, with respect to the specific proposition before the house, that the best and most advisable plan of reform was to extend the right of election to householders; it was the most perfect recurrence to the first known and recorded principles in our constitution, according to the celebrated Glanville, in all cases where no particular right intervened; and he wished it to be discussed in a committee, in hopes that the united wisdom of the house might improve the present outline into a system generally beneficial and acceptable.

Mr. Pitt avowed his total disapprobation of the plan proposed, and gave his decided negative to the motion, which was lost by a majority of 258 to 63.

A bill was introduced towards the end of the session by Mr. Dundas, for raising and embodying a militia in Scotland, which was soon after passed into a law, and which has been found, by experience, to be extremely obnoxious to the people of that country. On the 20th of July,

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the session terminated, in the usual manner, with a speech from the throne.

When the parliament again met, on the 2nd of November, 1797, the house of commons exhibited a singular and melancholy appearance. The benches of opposition were, in a manner, deserted. Disgusted at the mode of procedure within the house, calumniated by the ministerial hirelings without, as the secret enemies of their country, and aware that their patriotic exertions were unavailing, whilst the public affairs were conducted by ministers whose uniform folly and rashness had plunged the nation into unprecedented calamity, they determined to withdraw from a contest which appeared fruitless.

The address to his Majesty did not, however, pass altogether unnoticed, and the restoration of peace, as absolutely necessary to the salvation of the country, became a subject of much important debate in both houses. The papers relative to the negotiation at Lisle were laid before parliament. The extent of Lord Malmesbury's powers had been extremely circumscribed, and there was every reason to suspect, that the offers of administration were insidious and insincere. But such was the effect of the minister's speech, that it appeared to satisfy all doubts, and silence all opposition. Much compliment was paid to him on the eloquence of

his harangue; and Lord Temple, particularly, blamed the minister for having offered to the French any terms of peace, as he was for pursuing the war with spirit and resolution till the enemy were completely vanquished.

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In a very early period of the session, a bill was introduced in the house of commons for continuing the restrictions upon the bank, which passed without much observation.

The annual statement of accounts was brought forward by Mr. Pitt on the 22nd of November. The whole expense of the current year was estimated at twenty-five millions and a half. To furnish a supply to this enormous demand, he proposed having recourse to a "new and solid" system of finance. Of this sum six millions and a half would arise from the unappropriated produce of the sinking fund, exchequer bills, and unmortgaged taxes. Provision was then to be made for nineteen millions. He proposed raising seven of these, within the year, by a new impost, which should be regulated by the existing assessed taxes in a triplicate proportion to their actual amount; limited, however, to the tenth of each person's income; Four of the remaining twelve millions might be borrowed without creating any additional debt: the produce of the sinking fund, old and new, appropriated to the purpose of liquidating the national debt, being equal to that amount.

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For the other eight millions, he proposed that the triple assessment be continued, until the principal and interest be completely discharged; so that after seven millions should be raised for the service of the year, the same taxes, in little more than a year, would buy off the eight millions thus borrowed, with the intermediate interest. On the second reading of this bill, Mr. Fox and Mr. Sheridan again made their appearance in the house. It was at the earnest request of their constituents that they attended. They stigmatized the whole measure as bearing the stamp of despotism, and particularly reprobated that part of the bill, as manifestly unjust, which put out of the power of persons to lessen their taxes by retrenching their expenses. Although much opposition was given to the bill, it passed by a majority of 196 to 71.

Another favorite scheme of finance was what the minister styled the redemption of the land-tax. This was a plan for the perpetuation and sale of this tax, making it a species of transferable property,—allowing, however, the landed proprietor the privilege of pre-emption on terms less disadvantageous than to a stranger. With respect to the mode and terms of the purchase, it was proposed that the payment should not be made in money, but in a transfer of three per cent. stock, and that the stock so transferred should produce an annual interest of one-fifth,

or in cases where the proprietor himself was the purchaser, one tenth, more than the proportion of land-tax redeemed. There was but little opposition given to this bill, although a more beneficial plan might have been devised for utterly extinguishing this odious tax. The advantage to the public, in point of revenue, has been trifling, and the project has been found not to have realized those views the minister entertained.

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A third devise was that of a voluntary national contribution towards the exigencies of the country, threatened with invasion from an enraged and powerful enemy. About one million and a half was raised by the zealous advocates of the war. The Bank of England, although in a state of actual bankruptcy, subscribed two hundred thousand pounds, while the King and Queen, after a long interval, subscribed, the former twenty thousand, and the latter five thousand pounds, to the national contribution.

The chancellor of the exchequer, who had so lately brought forward his estimate of expense for the whole year, begged leave, on the 25th of April, to state a small error in his calculation. Instead of twelve millions, a loan of fifteen millions, he said, must be raised. So many modifications had been introduced in the Triple Assessment Bill, during its progress

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through the house, that Mr. Pitt now thought proper to state the amount at four millions and a half only. Eight millions being raised on the credit of it, exclusive of the produce of the current year, it was evident that this war tax would continue, at all events, two years after the restoration of peace. For the remaining seven millions, taxes were to be provided, which, with a vast increase of navy debt, amounting to four millions, required the sum of seven hundred and sixty-three thousand pounds, in addition to the annual burdens already imposed on the people. Thus were temporary taxes levied to the amount of four millions and a half for three years, and perpetual taxes to the amount of nearly eight hundred thousand, and which created a new additional capital of forty-four millions of debt, for twenty-two millions actually paid into the public exchequer.

As an invasion was expected from the vast preparations of the enemy, a third bill was brought into the house by Mr. Dundas, to revive the suspension of the Habeas Corpus Act, which was fixed for the 1st of February, 1798.

As the alarm of a descent upon this country was daily increasing, and the French had assembled a large force on the opposite shores of the channel, Mr. Pitt, on the 25th of May, moved for a bill for the more effectual manning of the navy. His principal point was the tem-

porary suspension of protection, and it was his wish that the bill should that day pass through its different stages in that house, and be sent up to the lords for their concurrence. Mr. Tierney expressed his belief that the augmentation of the navy might be provided for in the usual way. No arguments had been offered to prove the propriety of such an extraordinary deviation from the common practice of that house; nor was he prepared to give three or four votes without some deliberation and reflection in favor of a bill which, like all the other measures of ministry, he considered as decidedly hostile to the liberty of the subject. Mr. Pitt rose in great warmth, and said, "That if every measure adopted against the designs of France was to be considered as hostile to the liberties of the country, then, indeed, his idea of liberty differed widely from that of the honorable gentleman. Were the present bill not passed in a day, it was obvious that those whom it concerned might elude its effects; but if the measure was necessary, and that a previous notice would render it inefficient, how could the honorable gentleman's opposition to it be accounted for, but from a desire to obstruct the defence of the country?" Mr. Tierney called the chancellor of the exchequer to order, and the speaker interposing, observed, that whatever had a tendency to throw suspi-

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cion on the sentiments of a member, if couched in language that clearly evinced such intention, was certainly irregular. This, the house would judge of, but they would wait to hear the honorable gentleman's explanation. Mr. Pitt, in reply said, that if the house waited for his explanation, he feared it must wait a long time. He submitted what he had said to the judgment of the house, and would not depart from any thing he had advanced, by either retracting or explaining them. This peremptory refusal to explain a most injurious expression, at once disrespectful to the house, and unjust to Mr. Tierney, caused a sudden silence. No one having the presence of mind to move a resolution of censure upon the minister, Mr. Tierney immediately left the house. A duel was afterwards fought in consequence, and two cases of pistols being discharged without effect, the respective seconds accommodated the difference.

In the course of the session Mr. Wilberforce renewed his motion for the abolition of the slave trade. It was supported most ably both by Mr. Pitt and Mr. Fox. The latter declared it to be a matter of shame and lamentation, that the country should be so degenerated from every sense of virtue, so sunk in hypocrisy, that however convinced of the enormity of the wickedness, they had not yet abandoned that

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cause they had agreed so unanimously to condemn. It had been alleged, that we ought to judge of this commerce from the cruelty of individuals engaged in it. But such is the nature of man, that the idea of possessing unlimited authority, so far from inspiring tenderness, produces contempt of the object as worthless. If man himself had not been cruel, slavery itself could not have had existence. Upon this occasion the house, seemingly impressed with a sense of moral and political duty, was almost persuaded to be just, the motion being negatived by a majority of four only in a house of 175 members.

The proceedings in parliament during the whole of this session were of the utmost importance. In the house of peers the Duke of Bedford, on the 22nd of March, at the close of an eloquent speech, moved an address to the throne, for the removal of the ministers, and adopting other councils, as the situation of the country was too critical, and the dangers that surrounded it were too serious, to admit of any further trial of persons who were found incompetent to the administration of public affairs. After a long and vehement debate, the motion of address was negatived by a majority of one hundred.

The kingdom of Ireland was, at this period, in a very alarming state, and excited many

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serious apprehensions ; although, since the recognition of the national independence of that country and its legislature, it was difficult to bring any question relative to Irish affairs in a manner perfectly regular before the British parliament. Lord Moira, previous to the Christmas recess, had moved for an address to the king relative to the situation of Ireland. This motion had been opposed by Lord Grenville and the chancellor, who asserted that it was of a nature particularly unfit for the discussion of that house, as their lordships had no *authentic* information of the grievances of that country, and no power to redress them, if they were real. Before the close of the session, however, the general state of affairs in Ireland became such as to enforce itself again upon the notice of the British legislature. Lord Moira, once more, on the 26th of March, 1798, called for the attention of the house. Although his lordship was prepared with numerous affidavits, stating that “ torture had been employed in forcing confessions from individuals against themselves and their neighbours ; and that horrible devastations had been made on the houses and property of persons accused of disaffection,” yet the advocates of ministers and of coercion entered into an elaborate vindication of the conduct of the executive government of Ireland. A long and animated debate

ensued, when the question was lost by a great majority. A strong protest was, however, signed by the dissentient peers.

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On the same day Lord George Cavendish introduced into the lower house a string of admirable resolutions, as proper and necessary to be adopted for the salvation of Ireland. They were seconded by Lord John Russel, and ably supported by Mr. Fox; but the order of the day was carried by a majority of 146, and those practices so disgraceful to the British name and character were suffered to continue, without that reprehension such nefarious proceedings so justly deserved. Twelve English regiments of militia were sent to Ireland, to be employed for the suppression of the rebellion, which measure was a gross and shameful violation of the constitution, forming a precedent which weak and wicked ministers might hereafter employ for the most destructive ends.

On the 29th of June the session of parliament closed with a speech from the throne, in which compliments on the martial ardor and heroic spirit of the nation bore a conspicuous part.

When the parliament re-assembled on the 20th of November, 1798, the memorable victory of Lord Nelson over the French fleet at Aboukir, was particularly noted in his majes-

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ty's speech, and that it afforded an opening, which, if improved by suitable exertions on the part of the other powers, might lead to the general deliverance of Europe. The wisdom and magnanimity of the Emperor of Russia, and the decision and vigor of the Ottoman Porte, were adduced as a powerful encouragement to other states to adopt that vigorous line of conduct which experience had proved to be alone consistent with security and honour.

The address in the house of peers was ably canvassed by Lord Lansdown, who exhorted the ministers of the crown to draw from those victories the advantages they were calculated to secure, and to make them attain a safe and honorable peace. "Could any reliance be placed on such a league as that which was subsisting between Russia and the Porte? Was it upon such allies that we could depend for a vigorous co-operation? It would be wise to lay aside all idle plans of conquest; a spirit of moderation and disinterestedness should govern our conduct; and the true dignity of the nation would be consulted in making such concessions as were necessary for the restoration of the general tranquillity at this moment of gratulation and victory."

Lord Mulgrave was astonished that any Englishman should think this a moment for

professing peace. Occupying a proud station, we ought not to forget our superiority, by renewing negotiations, which presented no prospect of honorable termination. Britain stood high among the nations of Europe; she ought to invite them to combine under her auspices, to resort to her banner for protection, and to confide in her efforts for security.

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Lord Grenville highly commended the sentiments of the last speaker. "The powers of the continent," he said, "were now willing to adopt a line of conduct more suited to their interests, and was this a moment for England to shew she was guided by little selfish politics? Instead of accelerating the fate of Europe, and abandoning the victims of French domination to their misery, it ought to be the business of Great Britain to animate their efforts, and contribute to their deliverance. It was the duty of ministers to promulgate this glorious purpose, to conciliate differences, to allay jealousies, and not, by reviving them, to prevent that co-operation which was so necessary to the general safety, and so intimately connected with the true interests of the country." The question was then put, and the address was carried without a division.

A similar address was moved by Lord Granville Levison Gower, in the house of commons. The benches formerly occupied by the minority,

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still appeared almost deserted. A faint opposition was, nevertheless, still maintained by those few members who had not joined in the secession. Sir Francis Burdett charged the speech with an ambiguity which rendered it impossible to judge of the future measures of government. "What was meant by the deliverance of Europe, he could not conjecture. One thing, however, was plain, our victories were only signals of new expeditions, and accumulated burdens, instead of accelerating the long wished-for blessing of peace. If unanimity be desirable, in order to obtain it, restore to us our good old laws, let the representation be reformed, let the *bastilles* erected in Britain be destroyed, and the constitution be re-established; without these to call upon the country for unconditional support was adding mockery and insult to injury and injustice." The question, as in the house of lords, was carried without a division.

On the second reading of the bill for renewing the suspension of the Habeas Corpus Act, an interesting debate took place on the 21st of December. It was remarked by Mr. Courtnay, "That the Act of Habeas Corpus was the statute upon which the personal liberty of every Englishman depended. To the operation of that law, so justly the subject of universal panegyric, was solely owing the paramount

security possessed by the natives of this island above all other nations. There were, at this moment, above seventy persons confined in consequence of the suspension of this act. Had there not been time to bring most of them to a trial? Their trial and conviction would be the best reason for continuing to entrust such power to the executive government. The people confined under this suspension," he asserted, "had been treated with unprecedented rigor and inhumanity;" and mentioned the case of Colonel Despard as corroborative of the shameful practices which had been suffered in these prisons.

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Mr. Dundas observed, that the question before the house was whether the bill for suspending the Habeas Corpus act, should be read a second time or not; and that the observations of the honorable gentleman had no earthly connection with it. They related merely to the good or bad conduct of a jail, and had nothing to do with the power delegated by the legislature to the executive government, by the present bill for the purposes of national safety. The sheriffs and magistrates had the care and management of the jails, and to them the honorable gentleman, if induced by sympathy to deplore the sufferings of the seditious, should have made his complaint.

Sir Francis Burdett corroborated the assertions of Mr. Courtnay, and insisted that it was

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the duty of that house to take care that the extraordinary powers which it granted should not be abused. Mr. Wilberforce spoke to the satisfactory accounts he had received of the situation and health of the prisoners, and contended that it was no light thing to charge the executive government with acting malignantly in respect to the prisoners confined under the suspension.

Mr. Pitt treated the opposition to the bill with great contempt, and asked "if this was a time to slumber, when there existed men, who were hourly planning our destruction? men who never waked, nor slept, nor walked abroad, without holding up to our view, as it were, a dagger streaming with blood! Ought we to cast aside that shield which alone enabled us to defy its point?" The question was then put and carried with the usual success.

When the commitment of the bill was moved, the contention was, nevertheless, renewed with additional vigour. Mr. Courtnay again urged his arguments against the suspension, and reiterated his assertions that the state prisoners were treated with a severity at once unprecedented and unjustifiable. To strengthen these assertions, he read a letter from the wife of Colonel Despard, which gave a most affecting description of the rigorous treatment her husband endured. After a few observations of

the attorney-general, the house went into a committee upon the bill, and the suspension was continued to the 21st of March, 1799.

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The measure of suspension was resisted in the house of peers by Lords Holland and Suffolk. They urged arguments similar to those of the minority in the lower house, but with as little success.

The vast and increasing expenditure of the war had prompted the minister, in the last session, to bring forward, and the house to sanction, what was styled, by Mr. Pitt, "a new and solid system of finance." The principle on which this system was founded, was to borrow, upon the credit of a new and very heavy temporary tax, that large proportion of the loan which exceeded the sum discharged by the operation of the sinking fund: so that no addition should be made to the permanent debt. This tax, called the Triple Assessment, was not only extremely unequal and oppressive, but produced a sum so far short of the minister's statement as to render it evident, that if the war continued but a few years longer, this temporary tax must be converted, by the successive mortgages upon it, into a perpetual one.

The national debt had received an addition of two hundred millions, and it became necessary to ascertain by what means, and under what modifications the future supplies were to be

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1798. Mr. Pitt. Determined to adhere to the plan
he had so confidently proposed the last year,
but changing entirely the medium by which he
had then engaged to carry it into effect, he
moved, on the 3rd of December, 1798, “ that
the triple assessment should be altogether
repealed ;” and, in its stead, that a general tax,
subject to the same incumbrances, should be
imposed upon the aggregate amount of the
income of each individual. No scale of income,
he observed, could be devised, which would be
perfectly free from the objection of inequality ;
but this seemed to be a tax which appeared to
approach nearer than any other to a fair and
equal distribution. The commissioners, who
were to be invested with a power of fixing the
rate of every person’s income, should be men
respectable for character and situation, and
possessed of estates of a certain value. The
list of *persons qualified*, to be referred to those
gentlemen who had served on the two last
grand juries, in order to make a proper selec-
tion ; who should also choose a second set of
commissioners for the purpose of receiving and
deciding upon appeals. In commercial towns
some special provisions would be necessary,
adapted to the nature of circumstances, and
tending, as it subsequently appeared, to esta-

blish an inviolable secrecy, relative to the income of merchants and principal traders. Mr. Pitt further stated his intention that no income under £60 per annum should be called upon to contribute, and the scale of modification, up to £200 per annum should be introduced with restrictions. The quota required would amount to a full tenth part of the contributor's income. He estimated the national income at one hundred and two millions—the produce of the tax would be, therefore, ten millions. The triple assessment had netted scarcely four millions; so that the object for which the assessed taxes were designed, would, he affirmed, be sooner accomplished, and the public would be, in the same proportion, more speedily relieved.

A more arbitrary and oppressive taxation was, perhaps, never devised nor attempted in any age or country. And when it was proposed to mortgage this temporary, or war-tax, as it was first named, for the purpose of defraying the interest of immense loans raised on the credit of it, the greatest of all delusions was to be apprehended. It appeared but too probable that it would never again be abolished or repealed.

Mr. Tierney compared this project of finance to the worst revolutionary measures of France. It placed the tenth of all the property in the kingdom in requisition. Did the minister

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mean to say that a life income, and an income arising out of a disposable capital, were, in fairness, liable to the same impositions? The scale of taxation was manifestly unjust. If it was right that the scale should rise from £60 to £200 per annum, why should it not continue to rise from £200 upwards? The man of £200 per annum would be deprived of a part of the moderate comforts he enjoyed, while the man of £20,000 would still riot in the possession of all his luxuries.

Some very important observations on the commercial clauses of this bill were made by Sir Francis Baring. It was a tax upon industry and enterprize. The profits arising from capital, he said, ought not to be touched, when converted into capital they might then become a proper subject of taxation. Under the veil of secrecy which covered the commercial returns, the bill would be evaded and frauds committed, beyond any thing it was possible to conceive.

Sir William Pulteney reprobated the bill as unconstitutional in its spirit and tendency. While the Habeas Corpus Act was suspended, we had, however necessary the suspension might be deemed, no security for our personal liberty. If the bill passed, such were the inquisitorial powers vested in the commissioners, that we had no security for our property. It was hostile in its very nature to the radical

principles of freedom, and most dangerously attacked the vitals of our constitution.

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Notwithstanding these powerful objections, which were little attended to by the ministry, the bill passed both houses by a great majority.

One hundred and twenty thousand seamen, and marines, and about two hundred and fifty thousand land forces of different descriptions, were voted by the house. The sum required to cover the expenses of the current year was no less than thirty-one millions. Of this immense charge, the unmortgaged taxes on malt, &c., lottery, sinking fund, convoy tax recently imposed, and arrear of the triple assessment, covered eight millions and a half. The produce of the income tax was now calculated, with all its exemptions and modifications, at seven millions and a half. It was, moreover, mortgaged for eleven millions with the accruing interest; and the remaining four millions were provided for by perpetual taxes. This was not more than equal to the sum discharged by the commissioners under the sinking fund acts. Hence, according to the representation of the minister, no addition was made to the permanent debt of the nation. The effects produced by the operation of the land-tax redemption act, and the recent successes of the British arms, together with the fallacious idea of any further permanent increase of the public debt, had con-

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siderably raised the value of the public funds. The minister was, therefore, enabled to negotiate the new loan of fifteen millions on terms of *only* £175, 3 per cents., for £100 in money. The advantages of funding in a 4 or 5 per cent. stock, on which he had formerly laid great stress, were now, with the rest of his early opinions, abandoned, though not forgotten.

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A message of the utmost importance from the king, regarding Ireland, was delivered to the house on the 22nd of January, 1799, by Mr. Secretary Dundas, to the following effect:

“GEORGE R.

“His Majesty is persuaded, that the unremitting industry with which our enemies persevere in their avowed design of effecting the separation of Ireland from this kingdom, cannot fail to engage the particular attention of parliament; and his Majesty recommends it to this house to consider of the most effectual means of finally defeating this design, by disposing the parliaments of both kingdoms to provide in the manner which they shall judge most expedient for settling such a complete and final adjustment as may best tend to improve and perpetuate a connection essential for their common security, and consolidate the strength, power, and resources of the British empire.”

The King's message was taken into early discussion. Mr. Dundas moved an address,

importing, that the house would proceed with due dispatch to the consideration of the several interests recommended by his Majesty. Mr. Sheridan avowed, that he was ready to give credit, on this occasion, to ministers for purity of intention, as they could not be suspected of proposing a measure which, in their own opinion, tended ultimately to the separation of Ireland from Great Britain. The object of the message, he said, was evidently an *union*, though the word itself was not to be found in it. But, did the people of Ireland manifest any wish to unite? On the contrary, they had unequivocally declared themselves hostile to this design; and, if it was effected, it would be an union accomplished by fraud, corruption, and intimidation. He asked, how the terms of the *final adjustment*, made and agreed to by the parliaments of both countries, came to fail. Before the recommendation contained in the message was attended to, it was incumbent upon ministers to show, that the last pledge of the English parliament to the people of Ireland, by which their independence was recognized, and their rights acknowledged, had not produced that unanimity which the parliament of both nations sought to cherish. He concluded with moving as an amendment to the address proposed, “At the same time to express the surprize and deep regret with which the house, for the first time,

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learned from his Majesty, that the *final adjustment*, which, upon his Majesty's gracious recommendation, took place between the two kingdoms in 1782, had not produced the effects expected from that solemn settlement; and further humbly to express to his Majesty, that his faithful commons had strong reasons to believe, that it was in the contemplation of his Majesty's ministers to propose an union of the legislature of the two kingdoms, notwithstanding that final and solemn adjustment; humbly imploring his Majesty not to listen to the counsels of those who should advise such a measure at the present crisis."

Mr. Pitt, alluding to the late situation of Ireland, observed, that in order to counteract the insidious designs of the enemy, both foreign and domestic, no means could so effectually accomplish this object, as the adoption of the measure alluded to in the royal message. With regard to the final adjustment, as it was improperly styled in the journals of 1782, Mr. Pitt contended that it was far from ending all occasions of difference between the two countries. When the act passed, which established the independency of Ireland, it was accompanied by a resolution, stating the opinion of the house, that the connection between the two kingdoms should be consolidated by future measures or regulations founded upon the basis of mutual

consent. This proved how far the adjustment, then concluded, was from being regarded as final. He affirmed, that the present internal state of Ireland was most deplorable; and that the Irish legislature, from the peculiar circumstances of the nation, and not from any defection or want of talent, was incapable of restoring and maintaining the happiness of the people, and fixing the prosperity of the state on a firm and lasting basis. After a most animated debate, Mr. Sheridan withdrew his amendment, and the original motion was put and carried.

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On the 31st of January, the order of the day being read, Mr. Pitt stated, "that when he had proposed to the house to fix on that day for the further consideration of the King's message, he had indulged a hope, that the result of a similar communication to the parliament of Ireland would have opened a more favorable prospect than at present existed, of the speedy accomplishment of the measure then in contemplation. He had, however, been disappointed by the proceedings of the Irish house of commons. He was convinced that the parliament of Ireland possessed the power, the entire competence, to accept or reject a proposition of this nature, a power which he by no means wished to dispute. While he admitted the rights of the Irish parliament, he felt that, as a member of parliament of Great Britain, he had a right to exercise, and a

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duty to perform ; namely, to express the general nature and outline of the plan, which, in his estimation, would tend to insure the safety and happiness of the two kingdoms. Should parliament be of opinion that it was calculated to produce mutual advantage to the two kingdoms, he should propose it, in order to its being recorded on the journals of that house, leaving the rejection or adoption of this plan to the full and future consideration, and unprejudiced judgment of the parliament of Ireland." At the conclusion of his speech he proposed a series of resolutions, and moved that the house resolve itself into a committee to take them into consideration in their proper order.

These resolutions contained the principles of the intended union, and were eight in number. They were in substance—1st. To consolidate the strength, power, and resources of the British empire, in such manner as should be established by acts of the respective parliaments. 2nd, That as the basis of the union, the kingdoms of Great Britain and Ireland should, upon a day to be agreed upon, be united into one kingdom, by the name of the *United Kingdom of Great Britain and Ireland*. 3rd, That the succession to the monarchy of the United Kingdom should continue limited and settled in the same manner as the imperial crown of the kingdoms of Great Britain and Ireland stood limited and

settled, according to the existing laws, and to the terms of the union between England and Scotland. 4th, That the united kingdom be represented in one and the same parliament, to be styled, “ The Parliament of the United Kingdom of Great Britain and Ireland.” that such a number of peers spiritual and temporal, and such a number of members of the house of commons, to be hereafter agreed upon, by acts of the respective parliaments, should sit and vote in the said parliament on the part of Ireland, and be summoned, chosen, and returned, in such a manner as should be fixed by the parliament of Ireland, previous to the union. 5th, That the churches of England and Ireland, and the doctrine, worship, discipline, and government be preserved as now by law established. 6th, That his Majesty’s subjects in Ireland should be at all times hereafter entitled to the same privileges, and be on the same footing in respect of trade and navigation in all parts and places belonging to Great Britain, and in respect to which treaties shall be made by his Majesty, his heirs, or successors, with any foreign country as the subjects of Great Britain. That no duty shall be imposed on the import or export, between Great Britain and Ireland, of any article now duty free. And that on other articles there be established, for a time limited, a moderate rate of equal duties, as, previous to the union,

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should be agreed upon and approved by the respective parliaments, subject, after the expiration of such limited time, to be diminished equally with respect to both kingdoms, but not to be increased: that all articles importable into Great Britain from foreign parts, should be importable through either kingdom into the other, and subject to the like duties and regulations. That where any articles, the growth, produce, or manufacture of either kingdom, are subject to any internal duty in one kingdom, such countervailing duties, over and above any duties on import to be fixed as aforesaid, be imposed, as should be necessary to prevent any inequality in that respect. And that all other matters of trade and commerce, remain to be regulated from time to time by the united parliament. 7th, That the charge arising from the payment of the interest, or sinking fund for the reduction of the principal, of the debt incurred in either kingdom before the union, should continue to be separately defrayed by Great Britain and Ireland respectively. That for a number of years to be limited, the future ordinary expenses of the united kingdom in peace and war be defrayed by Great Britain and Ireland jointly, in proportions to be established by the respective parliaments previous to the union, and that after the expiration of the time so to be limited, the proportions should not be liable to be varied,

except according to such rates and principles to be agreed upon in like manner previous to the union. And 8th, That all laws in force at the time of the union, and all courts of civil and ecclesiastical jurisdiction within the respective kingdoms, should remain as now by law established within the same, subject only to such alterations, from time to time, as circumstances might appear to the parliament of the united kingdom.

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To these resolutions was added an address to his Majesty, containing assurances of the attentive consideration which had been given to the message delivered by Mr. Dundas. And that a firm persuasion was entertained, that a *complete and entire union* between Great Britain and Ireland, founded on equal and liberal principles, on the similarity of laws, constitution, and government, and on a sense of mutual interests and affections, would have the desired effect.

Mr. Sheridan, in reply, again avowed his utter disapprobation of the whole measure. He was convinced, that in the disordered and convulsed state in which Ireland then was, that it was impolitic and unsafe to agitate such topics. The evils which were predicted from the possible disagreement of two independent legislatures might with the same plausibility be supposed to result from the disagreement of two independent houses of legislature, such as the

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peers and commons of Great Britain. Experience, however, refuted and proved the futility of these apprehensions. He then stated his intention of moving the following resolutions: "1st, That no measures could have a tendency to improve and perpetuate the ties of amity between Great Britain and Ireland, which have not for their basis the fair and free approbation of the two countries." And "2ndly, That whoever shall endeavour to obtain such approbation in either country, by employing the influence of government for the purposes of corruption or intimidation, is an enemy to his Majesty and the constitution."

Lord Hawkesbury denied that the people of Ireland, collectively taken, were inimical to the union. It appeared that the preponderating influence of the crown, over the members of the legislative bodies in that kingdom, would be exerted on this important occasion. The resolute and persevering disposition of the minister was not to be deterred from the prosecution of his plan, by the intervention of any subordinate or incidental obstacles. After a debate of some length, the house divided on the question of the speaker's leaving the chair; when the numbers in the affirmative were 140 to 15.

On the 7th of February Mr. Sheridan moved his resolutions, which Mr. Pitt deemed superfluous and improper, and therefore moved the

order of the day. Mr. Grey observed, he could see nothing but danger in the discussion of the question, particularly as it would affect the public mind in Ireland. The house, in his opinion, ought to have resisted it in the first stage. The union he wished for was not an union of legislatures, but of hearts, affections, and interests. Evils, of which government itself was the parent, were made the pretext for depriving Ireland of her independency as a nation. Mr. Dundas spoke in favour of the union, and alluded to the prosperous condition, for the last century, of Scotland, which, he contended, she derived from her union with England. The Irish house of commons had expressed what they thought of such a measure, and it was our business to tell what we thought of it also. On the house dividing for the speaker's leaving the chair there were 149 against 24 who opposed it.

When the house again met on the 11th of February, the resolutions moved by Mr. Pitt were read in the committee, on which occasion the speaker, Mr. Addington, in a speech of considerable length, declared his having been long satisfied of the urgent and pressing necessity of the measure in question. The resolutions were then put in their proper order, and carried with very little opposition. On the report of the committee being brought up on the 14th, Mr. Pitt moved, that a message

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be sent to the lords, requesting a conference respecting the means of perpetuating and improving the connexion between the two countries.

The subject which had so deeply engaged the attention of the commons had been at the same time introduced into the house of lords by a similar message delivered by Lord Grenville. After the answer to this message had been voted, the house adjourned, and the business remained dormant in that house till the 18th of February, when the message from the commons was delivered by Earl Temple. A conference in consequence took place in the painted chamber; the lords deputed on this occasion soon returned with a copy of the resolutions voted by the house of commons.

On the 19th of March, their lordships having been summoned, Lord Grenville moved, that the house do agree with the resolutions of the commons, which, after an animated debate, was agreed to. The house being again summoned on the 11th of April, an address to the king, similar to that already voted by the house of commons, was moved by Lord Grenville, which gave occasion to Lord Minto to make a most elaborate speech in favor of the union, and to declaim on the nature and extent of the sovereign power in terms almost incomprehensible, and in language almost the same as proceeded

from Mr. Burke during any period of his aristocratical phrensy. The question was at length put upon the address, and carried without a division. A protest was, however, signed by Lords Holland, Thanet, and King. A committee was then appointed to draw up an address in conformity to the motion, and the commons were invited to join in the same, and to agree that it should be presented to his majesty as the address of both houses.

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In the course of the session the subject of the slave trade was again agitated in the house of commons, upon grounds somewhat more novel than any hitherto advanced. "It was now eleven years," Mr. Wilberforce observed, "since he had exposed this shameful traffic to the indignant reprobation of the house, and he had been cheered under his labours by the hope of ultimate success. But now, he almost despaired of seeing the abolition effected by a British parliament. And with respect to the colonial legislature, it was in vain to expect they would enforce any system of reform which might render the further importation of slaves unnecessary." A committee was moved for, in order to take the state of the slave trade into consideration. A long debate ensued, in the course of which Mr. Dundas affirmed, that the abolition *could not* take place without the

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consent and concurrence of the colonies themselves. Mr. Pitt, as on former occasions, made a most eloquent speech in favor of the immediate abolition, and animadverted, in the most forcible language, on the infamy of such a traffic, which, he said, was against justice, against humanity, against religion, and every social compact. He hoped the house would agree at once to the measure proposed, or, if they would not do so, declare expressly and specifically for what purpose the trade was to be continued. On the division, 54 members voted for, and 84 against, the appointment of the committee.

Towards the conclusion of the session a measure odious in its nature, and contrary to the express declaration of Magna Charta, which says, "that no person shall be disinherited or be deprived of his franchises, unless he be heard in his defence," was moved, and chiefly supported by Lord Grenville. This was a bill rendering perpetual those shocking penalties for the crime of treason, which, by the operation of an act passed at a crisis of alarm and expected rebellion, were not, without strong opposition, extended to the death of the sons of the late Pretender. A protest was, however, entered against this treason forfeiture bill, by Lords Ponsonby and Holland, which ex-

posed, in a just and striking manner, the barbarity and iniquity of the principle on which it was founded.

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On the 12th of July the parliament was prorogued, upon which occasion a speech was delivered from the throne, mentioning in high terms the decision and energy of our “magnanimous” ally, the Emperor of Russia, and declaring the intimate union and concert subsisting between the two countries would enable his majesty to employ, to the best advantage, the powerful means intrusted to him by parliament, to establish, on permanent grounds, the security and honor of this country, and the liberty and independence of Europe.

The session of parliament opened so early as the 24th of September, 1799. His majesty declared to the two houses, “that he had called them together at that unusual season in order to recommend to them to consider of the propriety of enabling him, without delay, to avail himself of a further extent of the voluntary services of the militia at a moment when an increase of our active force abroad may be productive of the most important and beneficial consequences.” Much stress was laid on the events which had added lustre to the British arms, and his majesty concluded a most remarkable speech with informing the two houses that he had communicated to the par-

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liament of Ireland, at the close of their last session, the sentiments expressed to him by the British legislature, respecting an incorporating union with them. An address, the usual echo of the speech, was moved by the Marquis of Buckingham, and carried without a division. A similar address passed the commons with the same facility.

As the measure of ingrafting a still larger proportion of the militia into the regular army was regarded as a matter of extreme importance, Mr. Plumer, the member for Herts, moved a call of the house; but this was opposed and over-ruled by the minister, although the members actually present did not amount to two hundred.

On the 26th of September Mr. Secretary Dundas moved to bring in a bill for the reduction of the militia, and to enable his majesty to accept the services of an additional number of volunteers. He did not conceal that this motion had in view the employment of a greater force on the continent. The supplementary militia was brought forward when the country was threatened with invasion; but for some time past the necessity of a large establishment for home defence had been gradually wearing away.

The bill having been transmitted to the peers, Lord Fitzwilliam rose in opposition to

the principle of it, which, he affirmed, to be not only unjust in its nature, but calculated to introduce into the militia a degree of insubordination of the most dangerous tendency. The plan was a breach of the engagement which subsisted with men who were raised for a peculiar purpose under a peculiar system. By changing the nature of their service, government acted in a manner which they had not anticipated.

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Lords Carnarvon and Holland also opposed the bill, as tending to destroy the constitutional system of defence, and rendering the militia subservient to the recruiting of the army. The provisions of the bill were defended by Lords Grenville and Westmoreland, but the Earl of Hardwicke, who spoke on the same side, admitted, with fairness and moderation, that the bill was liable to much objection, and contained many things painful and grievous to militia officers; but the propriety of enlarging the offensive force of the country, induced him to give it support, much as he deplored the necessity. This appeared, on the subsequent division, to be the sense of the house. After voting the supplies required for two months only, both houses adjourned to the 21st of January, 1800.

During the adjournment Lord Grenville received a letter from M. Talleyrand, secretary

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for foreign affairs in France, containing overtures for peace from the first consul, and which were scornfully rejected by the British government. The whole of the extraordinary correspondence which took place on this occasion, was communicated to parliament by message from the king. On the 28th of January, Lord Grenville moved an address to the throne, which he ushered in by an harangue of outrageous abuse and violence against the first consul. This important subject gave rise to strong debate. In the result, though manifest symptoms of dissatisfaction appeared on the part of many of the ministerial lords, who conceived the answers of Lord Grenville to be violent and indiscreet, the address was carried by the accustomed majority.

On the 3rd of February, Mr. Dundas moved a similar address in the house of commons, which he supported, after the example of Lord Grenville, in stigmatizing, with great asperity of language, the conduct and character of Bonaparte. The whole strength of opposition, assisted by the argumentative eloquence of Mr. Fox, was employed in censuring the indiscreet conduct of ministers, and endeavouring to excite them to a proper sense of what they owed to their country. Though the majority in favor of the address was great, yet the impression made on many of the members by the

arguments of Mr. Fox, was too forcible to be concealed. The political adherents of Mr. Pitt could not desert him on so momentous a question, without endangering the tenure by which he held his office. The feelings of the nation at large, on this subject of common humanity and common sense, were perfectly in unison with those really entertained, and in a great degree openly avowed by their representatives, and it was felt with irresistible conviction, that under the influence of the present rash and revengeful system, it was in vain to hope for the restoration of the blessings of peace.

The house resolved itself into a committee of supply on the 12th of February. One hundred and ninety-two thousand men were voted for the land service of the year, together with one hundred and twenty thousand seamen and marines, the expense of maintaining which, including the ordnance and plantation service, amounted to upwards of twenty-six millions. This sum, together with a vote of credit for three millions, exchequer bills three millions, subsidies and extraordinary services, made the whole supply voted, little less than forty millions.

The ways and means were, in the first place, a loan of £18,500,000, of which £13,500,000 were to be charged upon the income tax, already loaded with the several sums of eight and eleven

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millions, for the interest and principal of which it stood deeply mortgaged. The next resource was the produce of the income tax for the year, now reduced, according to Mr. Pitt's own calculation, (deducting the sum of £1,700,000 for the interest due on a capital of thirty-two millions and a half funded on the credit of it, and converted into six millions, three per cent. annuities,) to £5,300,000, or, in other words, about half its original estimate. The consolidated fund he estimated at four millions and a half: malt-tax, lottery, and tax upon imports and exports, about four millions; exchequer bills three millions; an advance of three millions from the bank, bearing no interest for six years, as a premium for the renewal of the charter for a term of twenty-one years, and other incidental circumstances made up the deficiency.

On the annual motion for the renewal of the Habeas Corpus suspension, a warm debate ensued. Mr. Sheridan declared it to be far better to repeal the act at once, than thus insidiously to undermine it. No conspiracy whatever, as ministers well knew, existed; and it was monstrous, that persons should be confined for so many years, without being brought to trial, or scarcely knowing of what they were accused.

Sir Francis Burdett said, he had not language to express his feelings on these repeated suspensions of the Habeas Corpus. When that act

was removed, little difference was left between our own and any other government. He solemnly protested his belief that ministers were afraid to bring the persons accused to trial. He affirmed that, so far as he could judge, their innocence was their crime; and who, he asked, could doubt of their being brought to trial, if any traitorous design could be proved against them? "What," exclaimed this ardent patriot, "would the immortal Chatham have said on the recital of such oppression? The thunder of his eloquence would have shaken the house. In his estimation, the cottage of the peasant was as sacred as the palace of the king. He would have raised a storm, from which ministers would gladly have screened their heads."

The motion being carried, the debate was revived on a subsequent day with increase of indignation. It was remarked, that it had been the leading feature of the administration to grasp at illegitimate power by a system of terror. These bills conferred no power of commitment without previous information upon oath, though it afterwards deprived the person so committed of the privilege of Habeas Corpus: but, in fact, many had been sent to prison on a mere warrant of the privy council; and a bill of *indemnity*, it was asserted, would one day be found necessary to screen those violaters of the law from the punishment they so justly merited. In the

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house of lords this violent measure was again opposed by Lords King and Holland, but it finally passed both houses by great and decided majorities.

Towards the end of March, Mr. Dundas stated, in a committee of the whole house, in his usual exulting language, the prosperous state of the East India Company. He admitted the increase of debts and the decrease of *assets* in India and China to the amount of £2,700,000; but the increase of *assets* and the decrease of debt in Europe he computed at about £3,800,000; so that the company had gained upon the balance, a million and upwards, in the course of the year, *but the charges of the late war were not yet ascertained.*

Mr. Tierney, on the 5th of June, moved for leave to bring in a bill repealing the tax upon income from and after the 5th of April of the ensuing year. He declared, that odious and oppressive as the tax was, he would not, from urgent necessity of circumstances, object to its being continued from year to year during the war; but that, as a war tax, its operation ought to be temporary, and that it should be annually voted. To the principle of raising a large sum within the year, he readily acceded; but he was of opinion, that less arbitrary means might be devised for carrying that plan into effect, than either of the two projects which had been recommended by the chancellor of the exche-

quer, and which had been both miserably deficient in their expected products, grounded upon the estimates of the minister. The motion was negatived, after a debate of some length, by 104 to 24 voices.

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In the mean time, the question of a union between the two kingdoms was debated with great energy in the parliament of Ireland. A steady opposition had been made by many members equally remarkable for their abilities as for their virtue and patriotism. The whole power of administration was effected to procure an approbation of this measure from those who were under the influence of the crown, and at last an address from the parliament was voted, signifying their assent to the proposed resolutions. On the 2nd of April, the Duke of Portland informed the British house of peers, by a message from the king, “that it was with the most sincere satisfaction his Majesty found himself enabled to communicate to this house the joint address of his lords and commons of Ireland, laying before his Majesty certain resolutions which contain the terms proposed by them for an entire union between the two kingdoms. His Majesty, therefore, earnestly recommended to the house to take all such further steps as might best tend to the speedy and complete execution of a work so happily begun, and so interesting to the security of his

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Majesty's subjects, and to the general strength and prosperity of the British empire."

An address of thanks having been returned, the papers were taken into consideration on the 21st of the same month. Lord Holland made a most animated speech against the principle of the union, in which his lordship went over all the grounds inimical to the measure with considerable ability. He adverted to the solemn assurance of ministers, "that, however desirable in their judgment the union of the two countries might appear, it ought not to be accepted unless it were the pure and spontaneous offer of the parliament of Ireland, uninfluenced by corruption or menace;" and he forcibly appealed to the feelings of every individual whether it was doubted that corruption and intimidation had been practised to obtain a majority in both houses of the Irish parliament.

The objections of Lord Holland being overruled, the house went into a committee, and the articles of the union, as framed by the Irish legislature, were severally discussed and agreed to by the house, with very trivial alterations, or any memorable opposition.

In the house of commons the same spirit of acquiescence prevailed. On the discussion of the fourth article, Mr. Pitt moved an additional clause, importing, that not more than twenty of the entire number of representatives returned

by Ireland, should hold any place or pension under the crown ; those above the prescribed number who most lately received their office, being obliged to make their option between that and their seat.

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Early in May, all the articles having been severally investigated and approved by great majorities, Mr. Pitt moved, that an humble address be presented to his Majesty, acquainting him that the house had proceeded through the great and important measure of a legislative union, which they had the satisfaction to see was nearly in strict conformity with the principle laid down in his Majesty's message. This was carried without a division, and the address and resolutions being forthwith transmitted to the house of peers, the assent of that body was obtained without any material alteration, and a joint address, as usual on great occasions, was presented to the throne. A bill grounded upon the resolutions was then introduced, and passed through both houses ; the first day of the new year and the new century, January 1st, 1801, being the æra from which the union of the two kingdoms was to commence. On the 2nd of July, the royal assent was given to this important bill : and on the 29th of the same month the session was terminated.

CHAPTER XXIII.

*Continuation of the History of Parliament during the Reign
of George the Third.*

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ON the 11th of November, 1800, the parliament again assembled. In his Majesty's speech, mention was made of the difficulties with which the poorer classes had to struggle from the high price of every necessary article of subsistence, and it recommended the adoption of such measures as might appear calculated to relieve this severe pressure. The unsuccessful negotiation for peace recently carried on with France was adverted to, and the papers ordered to be laid before parliament.

In the house of commons, an address, similar to one moved and carried in the house of lords, was moved by Sir John Wrottesley, and in the course of the debate, Mr. Pitt asserted, with a boldness peculiar to himself, that the war was no cause of the scarcity, nor had any evident or necessary connection with it. He even declared that nothing could be more atrocious than to inculcate so false and dangerous a doctrine.

That the war was a powerful and concurrent cause of the extreme scarcity and consequent dearness of provision, is a truth which no one

else could undertake to deny. The extreme unfavorableness of the seasons might have laid the foundation of the scarcity ; but the increasing weight of taxes, the depreciation of money, occasioned by an immense influx of paper, and the consumption and waste incident to a war of such extent and magnitude, were great assisting causes. No time was, however, lost by the legislature in endeavouring to provide a remedy for the public distress. A select committee was appointed to investigate the causes of the high price of provisions. Large bounties on the importation of grain were voted by the commons. The use of grain in the distillation of spirits was prohibited, also the exportation of rice, and other articles of sustenance. A bill was passed, permitting the importation of Swedish herrings, &c., duty free, and also for allowing the use of salt, duty free, for preserving herrings, pilchards, and other fish, in bulk. Another bill was passed, prohibiting the manufacture of flour or meal from wheat, or any other grain, finer than a specified standard. These bills, however well intended, produced no visible effect. The distresses of the lower orders of the people rose to a height hitherto unexampled. The families of the greater part of the labouring poor were maintained, at a vast expense, from the parish rates, which amounted, in many places, to fifteen or twenty shillings in the

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pound: and in some of the parochial assessments far exceeded the aggregate of the rental.

Among other causes of dearth, the great increase of population was repeatedly mentioned; and in the course of the session a bill was brought in by Mr. Abbott for ascertaining the population of England and Wales, which passed into a law. Upon an actual subsequent enumeration, it appeared, to their general surprize, that the amount was little short of ten millions; a result exceeding the highest previous conjecture. And it may not be too much to estimate the aggregate of the population of the two islands at upwards of eighteen millions.

On the 1st of December, Mr. Sheridan moved an address to the throne, assuring his Majesty, “that the house had taken into their most serious consideration the papers relative to the negotiation for peace with France, and that the result of their reflections on that important subject, founded as well on due examination of the documents now referred to them as on experience of the past conduct of most of his Majesty’s allies, was an humble but earnest desire that his Majesty would omit no proper opportunity which might arise, consistently with the good faith ever preserved by his Majesty, of entering into a separate negotiation with the government of France for a speedy and honorable peace; and further, to implore his Majesty

not to sanction any new engagements which should preclude such a mode of negotiation.”

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Although every day's experience clearly evinced that this was the only practical mode of obtaining peace, yet the object of this address was exclaimed against by Mr. Windham as so extravagant and ridiculous, that it entirely precluded the necessity of any observation. He warned the house against listening to the counsels of those who wanted to make a peace with a jacobin republic, and to take from them the fraternal embraces; and he prayed God to avert such a peace from this country. Mr. Dundas, in reply to the sound arguments offered by Mr. Grey to the serious consideration of the house, declared, “that it would be very unwise, engaged as we were in an arduous contest with such an enemy as France, to separate ourselves from such an ally as Austria. And he reminded the house, that, by an established custom of our constitution, in all questions of peace and war, the decision belonged to the king, and that it was not the province of that house to interfere, unless on very great and important occasions; and such occasions could scarcely occur, except where the interposition of the house ought to be accompanied with an advice to his Majesty to choose new counsellors. On a division there was a majority of 156 to 35 against the amend-

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ment, and the address was carried in its original form.

In this short session estimates were presented to the house, respecting the various branches of the public service, and supplies voted for three months. The army and navy sedition bill was prolonged until the 1st of April, 1801. The suspension of the Habeas Corpus Act was continued for six weeks, from the 1st of February, 1801; and the alien bill, passed in 1793, until the period of six months after a peace. On the last day of the year, the king, after giving the royal sanction to the bills presented to him, closed the session of parliament, with acknowledgments to both houses, for the distinguished industry and zeal with which they had applied themselves to the relief of the public distress; and observed, that the time fixed for the commencement of the union between Great Britain and Ireland necessarily terminating their proceedings on that important subject, he expressed his persuasion that the consideration of it would be resumed with the same zeal and temper on the first meeting of the parliament of the United Kingdom. His majesty also alluded to the detention of the property of his subjects in Russia, and the imprisonment of British seamen in that country, which had excited in him sentiments in which he was sure his parliament and

all his subjects would participate. He had already taken such steps as that occasion indispensably required.

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Before he retired, his Majesty ordered the chancellor to read a proclamation, declaring that the individuals who composed the expiring parliament should be the members on the part of Britain of the parliament of the United Kingdom. A grand council was held on the same day, in which the necessary regulations were settled. On the 1st of January, 1801, a royal declaration was issued, concerning the style and titles appertaining to the imperial crown of Great Britain and Ireland; and also the ensigns armorial, flags and banners thereto. In this new heraldic arrangement, the *fleurs de lis*, so long foolishly retained, were properly omitted, and the royal dignity was in future to be expressed in the Latin language by these words: *Georgius Tertius, Dei Gratia, Britanniarum Rex, Fidei Defensor*—and in the vernacular, *George the Third, by the grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith*.

The great seal was delivered up and defaced, and a new seal for the empire was given to the chancellor. A new standard also, combining the three crosses of St. George, St. Andrew, and St. Patrick, was hoisted, amidst the dis-

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charge of artillery, in each of the three capitals of England, Scotland, and Ireland. In honor of the Union, many promotions were made, and many titles conferred. The new century was thus rendered memorable from the event which took place at its commencement.

The *first Imperial parliament* was convened on the 22nd of January, 1801, and opened by commission, when Mr. Addington was re-elected speaker of the house of commons without any apparent opposition. On the 2nd of February, the king came in person to the house of peers, and delivered, in the usual form, a speech, in which he declared his satisfaction in being enabled, for the first time, to avail himself, at so important a crisis, of the advice and assistance of the parliament of the United Kingdom. “Your astonishment as well as regret,” said his Majesty, “must be excited by the conduct of those powers whose attention at such a period appears to be more engaged, in endeavouring to weaken the naval force of Great Britain, which has hitherto opposed so powerful an obstacle to the inordinate ambition of France, than in concerting the means of mutual defence against their common and increasing danger. The representations which I have directed to be made to the court of Petersburg, in consequence of the outrages committed against the ships, property, and persons,

of my subjects, have been treated with the utmost disrespect; and the proceedings of which I complained, have been aggravated by subsequent acts of injustice and violence. Under these circumstances, a convention has been concluded by that court with those of Copenhagen and Stockholm, the object of which, as avowed by one of the contracting parties, is to renew their former engagements for establishing, by force, a new code of maritime laws, inconsistent with the rights, and hostile to the interests of, this country," &c.

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From the tenor of this speech it was evident that the ambitious spirit of the ministry would not hesitate to involve the empire, already at war with France, Spain, and Holland, in open hostilities with the powers of the North, rather than bend in the slightest degree to the pressure of the times, or relax an iota from the rigorous enforcement of their most obnoxious claims in relation to ships navigating under the flag of neutral nations.

The address in the upper house was moved by the Duke of Montrose, and opposed by Lord Fitzwilliam. This respectable nobleman particularly urged, that it was impossible for that house, consistently with its duty, to omit an inquiry into the causes of the failure of our efforts, when such large and almost unbounded powers had been intrusted to ministers, and

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when they had all Europe in friendship with them in the common cause ; and why, instead of succeeding in this great object, they had all at once plunged us into a contest with our own allies. We had it in our power to suspend the discussion of the neutral code. It was actually suspended without any evil consequences in 1780, when this country was in a situation of less difficulty than at present. But, by litigating this question, we had consolidated the power of Denmark and Sweden with that of Russia. His lordship affirmed it to be incumbent upon that house, before they granted to ministers that new confidence and new support which were now demanded, to examine into their past conduct, and to ascertain precisely in what manner they had used the extraordinary powers with which they had been intrusted. He concluded by moving an amendment to the address, declaring, “ That the house would proceed with all possible dispatch, to make such inquiries into the state of the nation, into the conduct of the war, and into our relations with foreign powers, as shall enable them to offer to his Majesty such advice as may be conducive to the honour of his crown, and the general interests of his people,” &c.

An animated debate followed, in which the Lords Suffolk, Darnley, Carnarvon, Moira, Holland, and Fife, spoke in favor of the amend-

ment. The latter nobleman, more highly venerated for his virtues than the long period in which he had sustained his public duty, remarked, “ that whether the war, in its origin, was just or unjust, it appeared too certain, none was ever worse conducted. He had seen and been intimate with all the different parties from the death of Mr. Pelham to the present hour. But in this horrid war had he first witnessed the blood and treasure of the nation expended in the extravagant folly of secret expeditions, which had invariably proved either abortive or unsuccessful. Grievous and heavy taxes had been laid on the people, and wasted in expensive embassies, and in subsidizing proud, treacherous, and useless, foreign princes, who would have acted much better for themselves had we saved our money, and taken no concern with them. I do not condole with you,” said his lordship, “ on your present unfortunate condition, in having no friends : I only wish you had been in that situation from the beginning of the war. What have we gained by our boasted conquests ? If a proper regulation for commerce were made, I wish they were all sold, and the money arising laid out to discharge the national debt, and to relieve the country from those oppressive taxes which bear hard upon the rich and poor—on

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their income, their industry, and, what is worse, their liberty.”

The cause of administration was advocated by the Lords Romney, Mulgrave, Grenville, and others, and the amendment rejected by 73 against 17 peers.

In the house of commons a similar amendment, moved by Mr. Grey, was negatived, by a majority of 245 to 63.

A report had been for some time in circulation of a difference of opinion upon some essential points between the monarch and his ministers. It was even rumoured that the king disapproved of the late violent measures, and was earnest for peace. The real cause of the quarrel was, however, soon ascertained.

The union of the two islands was regarded by Mr. Pitt as the most glorious circumstance of his administration. Although he had uniformly opposed the claim of Catholic emancipation during the existence of the separate legislation of Ireland, yet, in order to facilitate the accomplishment of this favorite object, he thought fit to give to the principal Irish Catholics, in return for their acquiescence to the measure, secret assurances of participating in all political privileges so soon as the union had taken place; and this too, without having been properly authorized by the sovereign.

When this proposition was stated in the cabinet council, the king, alarmed at the nature and extent of the claim, refused his assent to its being brought forward in parliament by ministers. He was even made to believe that this assent could not be given consistent with the oath taken at his coronation. No opinion could be more void of just foundation. The form of the oath could not restrain his Majesty, in a legal sense, from concurring with both houses of parliament in any legislative act, which could benefit his catholic subjects, and give them those rights and privileges which they are equally entitled to in common with the rest of the empire. The cabinet ministers were resolved to carry their point, and resorted, in this emergency, to an expedient which Mr. Pitt had found effectual on former occasions, namely, *an offer of resignation*. Doubtless, he supposed that no other administration could be formed without having recourse to the determined opposers of the war, and that the king must submit. But his Majesty, on consulting with his secret advisers, (who are supposed to have been the Earls of Liverpool and Clare,) resolved to run all risks, and accept the resignation thus tendered to him.

But the great difficulty was to form a new administration, which should have influence sufficient to support the old system, as there

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was no appearance of any intention to effect a change in the measures of government. Mr. Addington, speaker of the house of commons, was made chancellor of the exchequer, and first lord of the treasury. His abilities as a statesman were unknown and untried; but his impartiality and candour had procured him the esteem of all parties. Lord Hawkesbury was appointed secretary for foreign affairs, and Lords Hobart and Pelham were nominated secretaries of state in the room of Mr. Dundas and the Duke of Portland. Lord St. Vincent was placed at the head of the admiralty, and Mr. Yorke succeeded Mr. Windham as secretary at war. Lord Eldon superseded Lord Loughborough in the court of chancery. The Duke of Portland and Lord Westmoreland only retained their situations in the cabinet, the first as president of the council, the other as lord privy seal. A more entire change of administration has seldom been known, and it seemed to give general satisfaction throughout the kingdom.

On the 10th of February, Mr. Addington resigned his office of speaker, and the next day Sir John Mitford was elected in his stead. Although the new arrangements were nearly completed, they were not formally announced. The agitation of the king's mind had so affected the state both of his health and intel-

lects, as to occasion an interruption of the royal functions. During this indisposition the former ministers continued to discharge the duties of their respective offices.

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The house of commons having resolved itself into a committee of ways and means, Mr. Pitt, on the 18th of February, appeared for the last time in the character of chancellor of the exchequer. One hundred and thirty-five thousand seamen, including thirty thousand marines, had already been voted for the service of this year, as well as one hundred and ninety-three thousand one hundred and eighty-seven for the land service. The aggregate of our military and naval force was nearly five hundred thousand men, and to support this mighty force, and other contingencies, the sum of £42,197,000 was stated to be wanting. The proportion to be defrayed by Great Britain amounted to £37,870,000 ; of this about twelve millions and a half were provided for. The annual taxes were estimated at £2,750,000 ; the duty on exports and imports at £1,250,000 ; surplus of the consolidated fund, £3,300,000 ; produce of the income tax, (interest, &c. deducted,) £4,260,000 ; sums not issuable for subsidies, &c. £560,000 ; lottery, £300,000. To make up the deficiency, Mr. Pitt proposed a loan of £25,500,000, to be funded on the old mode ; the whole of the

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interest to be charged upon new and perpetual taxes, to the amount of about £1,800,000. The income tax was sunk so low as to make it impracticable to mortgage it further without absorbing the whole of its produce.

Mr. Corry, the chancellor of the Irish exchequer, stated the debt of Ireland to be thirty-six millions, more than thirty of which had been contracted since the commencement of the war. This debt bore an interest of £1,696,000, above one million of which was remitted to England; and a sinking fund, upon the same principles as that of England, was established for the liquidation of the capital. He required seven millions for the service of the current year, of which he proposed to borrow the sum of £2,500,000. This was incorporated with the English loan, though charged to the separate account of Ireland.

On the motion of Lord Castlereagh, the act for establishing martial law in Ireland, was continued for three months. This dangerous extension of authority was strongly objected to and opposed; but it was still further prolonged before the close of the session.

In consequence of the unsettled state of the administration from the resignations which were about to take place; Lord Darnley had agreed to postpone his motion of inquiry into the situation of the country. On the 20th of

March he revived his motion, which produced a very warm debate. Lord Grenville took upon himself to affirm, that no possible advantage could result from such inquiry; that it would only tend to realize danger, and open a door to harassing speculations. On the other hand, the Marquis of Buckingham, head of the house of Grenville, declared himself in favor of a committee of inquiry, because former committees had been productive of much good. The discordancy which took place between friends and brothers on this occasion created some amusement; but on the house dividing, the motion was rejected, by a majority of 115 to 28.

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Mr. Grey introduced a similar motion in the house of commons, in the support of which Mr. Fox delivered his sentiments in a speech breathing the genuine spirit of political wisdom. Mr. Pitt and Mr. Dundas opposed the motion, and combated the supposition that a committee of inquiry could be of the least use, because nothing which could be there disclosed would afford more information than was already laid before parliament. Mr. Pitt, in adverting to the contest with the northern powers, expatiated on the necessity of resisting any incroachments on our maritime rights, lest we should lose the best opportunity which ever did or might occur, of vindicating them. On

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a division of the house, Mr. Grey's motion was rejected by a majority of 291 to 105 voices.

Under the new administration, the Habeas Corpus and sedition acts had been suffered quietly to expire. But on the first and second of April a variety of papers, sealed up, were presented to the house by Mr. Addington, in pursuance of his Majesty's command, and being referred to a secret committee of twenty-one persons, a report was made by them on the fourteenth of the same month, from which it appeared that divers seditious and treasonable machinations were still carrying on by wicked and disaffected persons. Bills were in consequence introduced for reviving the two late acts, which were unavailingly opposed in their progress through both houses, on the ground of the existing laws being fully adequate to the purpose of repressing and punishing the crimes of sedition and treason.

A bill, which excited much offence, was soon after introduced, at the recommendation of the secret committee, by the attorney-general, Sir Edward Law, "for indemnifying all persons concerned in securing, imprisoning, and detaining, individuals, under the suspension of the Habeas Corpus Act, since the 1st of February, 1793." Various precedents were adduced of bills of indemnity passed on similar occasions since the Revolution, and the present

bill was asserted to be a necessary measure of protection. On the other hand it was contended, that the precedents adduced in vindication of the bill were by no means in point. The bills of indemnity alluded to had passed subsequent to periods of open rebellion, insurrection, or detected conspiracy, and the retrospective operation was short and recent. But the bill intended to be produced, extended to the monstrous term of eight years back, during which a treasonable conspiracy had been affirmed, but had never been proved to exist; nor had any one person, implicated in it, suffered the legal penalties of guilt. The true name of the bill was "a bill for the protection and encouragement of secret accusers." Such practices were only to be found in states deprived of their liberties and oppressed by their laws. That decision is iniquitous which first pronounces on the guilt of individuals without allowing them to be heard in their defence, and then deprives them, when released from imprisonment, of the necessary means of vindicating their character, or regaining any degree of consideration or respect in society. After long and vehement debates the bill passed through both houses by large majorities.

A vacancy having occurred in the representation of the borough of Old Sarum, the celebrated Mr. John Horne Tooke was returned as one of

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its members. No sooner had he taken his seat than Lord Temple gave notice that he should object to the validity of the election, on the ground of the ineligibility of persons in holy orders to sit in that house, and, on the 6th of May, he accordingly moved, that a new writ be issued for the borough of Old Sarum. The question was superseded, on a division, by the order of the day; and the chancellor of the Exchequer declared his intention of bringing in a bill for the purpose of removing all doubts respecting this point, and for declaring the clergy ineligible to sit as members of the house of commons. The bill of incapacitation was soon after introduced; but so far were the framers of it from wishing to offer any indignity to the gentleman who was the accidental occasion of the measure, that a clause was expressly inserted to limit its operation and effect to future parliaments. On the propriety of the bill, there can be no rational doubt. The clergy, of all denominations, have always made the worst use of power, whenever it has been intrusted to them. Had it been once ascertained that they possess a right to sit in the house, a most dangerous infusion of bigotry and malignity might have been expected. Confined within their proper sphere, and teaching good morals on just principles, the clergy are, perhaps, a body of men respectable and useful.

On the 12th of June Mr. Dundas exhibited a general statement of the revenues and pecuniary concerns of the East India Company, the management of which had been, for a long period, committed to his control. Although he admitted the debt of the company had increased, still he estimated the addition at something more than £1,200,000. But then the net increase of the assets abroad amounted to about £1,300,000; so that the company was richer since the last statement by about £900,000. He moved a series of resolutions relative to the extinction of the aggregated debt, which was now calculated at £14,000,000; and for this purpose, one million was to be appropriated annually, till it was reduced to £4,500,000; at which amount it would be thought expedient to keep it stationary.

The session of parliament was closed by commission, on the 2d of July, 1801. In allusion to the question of peace or war, the lords commissioners were directed to express his Majesty's sentiments: and "that events so honorable to the British name, as had occurred, derived peculiar value, in his estimation, from their tendency to facilitate the attainment of the great object of his unceasing solicitude, the restoration of peace on fair and adequate terms." In this desirable and difficult work, the new ministers had, for sometime past, been assiduously engaged,

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though unfortunately, with ability little proportioned to their zeal. However, the preliminaries of peace, fifteen in number, were at length signed on the 1st of October, 1801, by Lord Whitworth and Citizen Otto, the two ministers plenipotentiary. The desire of peace was so great, that few persons were inclined very severely to scrutinize the articles of this preliminary treaty. On the contrary, the intelligence that peace was concluded, spread throughout the most sincere and cordial satisfaction. On the 12th of October the ratification of the first consul was brought to London, by Colonel Lauriston, (one of his aides-de-camp,) who was welcomed with loud and universal acclamations; and the event was celebrated, in both countries, by every public demonstration of joy.

The second session of the imperial parliament was opened on the 29th of October, 1801, by the King, in person, who, in his speech, announced the favourable conclusion of the negotiation begun during the last session. He also declared his satisfaction that the difference with the northern powers had been adjusted by a convention with the Emperor of Russia, to which the Kings of Denmark and Sweden had expressed their readiness to accede.

The address in the house of peers was carried unanimously. In the house of commons Mr. Fox expressed his approbation respecting the

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peace, in which he was warmly seconded by Mr. Pitt. On the other hand, Mr. Windham, late secretary at war, professed his entire disapprobation of the preliminaries, and avowed himself to be a solitary mourner in the midst of the public rejoicings on that event. In signing the peace, he thought the ministry had signed the death warrant of the country. Mr. Sheridan thought it was a peace of which every one was glad, but no one proud: it was such a sort of peace as might be expected after such a war;—a war the most pernicious in which this country had ever been engaged, and the peace was, perhaps, as good as any minister could make, considering the circumstances in which we were placed. The motion was finally carried with the same unanimity as in the upper house.

On the 3d of November the subject of the preliminaries was taken formally into consideration by the lords, and a decided opposition to the terms of peace expressed by the Earls Spencer, Carnarvon, and Fitzwilliam, the Marquis of Buckingham, Lord Grenville, and the Bishop of St. Asaph. The house at length divided, when there appeared for the address, as moved by ministers, 114—against it, 10.

On the same day a similar address was moved in the house of commons, when the peace was violently assailed by Mr. Windham, Mr. Thomas Grenville and Lord Temple. The terms of the

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treaty were defended by Lord Hawkesbury, and the other members of administration. The house, justly weary of the war, was easily impressed by the reasoning of ministers in favor of peace. It was remarked by the chancellor of the exchequer, that the duty of negotiation commenced when all hope of continental aid, in checking the power of France, was at an end. He acknowledged it to depend upon the wisdom of government, whether this peace should be a blessing or a misfortune to the country. He could only say, as it had been made sincerely, it should be kept faithfully—a line of conduct ought, however, to be pursued, not of suspicion and jealousy, but of prudence and circumspection, and it would be necessary, he added, “to provide means of security never before known in times of peace.” The motion was then agreed to without a division.

The convention with Russia also occupied the early attention of parliament, and which met with the same opposition from the Grenville party as was given by them to the terms of peace; and it was evident, from their remarks, that an accommodation with the northern powers never would have taken place under their inauspicious administration, whatever might have been its duration.

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Soon after the Christmas recess, February 17, 1802, the chancellor of the exchequer called

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the attention of the house to certain papers before them, relative to the civil list, by which it appeared, that the civil government was again deeply in arrear, and a committee was appointed to examine the accounts now presented to the house. In the course of the discussion, Mr. Manners Sutton, solicitor to the Prince of Wales, advanced a claim of right on the part of the prince against the crown, or rather the public, for the amount of the revenues of the duchy of Cornwall, received during his minority, and applied to the uses of the civil list, which must otherwise have been supplied from other resources. The aggregate of the sums so received, on an accurate estimate, appeared to be about £400,000. Mr. Fox declared strongly in favor of the equity of this claim, but admitted, that the sums voted for the payment of the prince's debts, ought to be deducted from the balance accruing to the prince. Mr. Sutton declined bringing the matter before the house until the question respecting the civil list was disposed of.

On the 29th of March the report of the committee was taken into consideration, when it appeared that an enormous debt of no less than £990,000 had been contracted since Mr. Burke's reform bill had taken place, exclusive of the arrears discharged in the years 1784 and 1786. Even, during the whole of Mr. Pitt's adminis-

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tration, the provisions of that bill had been entirely neglected. After long and warm discussion, the vast sum was voted by the house, but the chancellor of the exchequer allowed that measures ought to be taken to prevent any such accumulation of debt in future.

Mr. Sutton now brought forward to the consideration of the house, the claim of the Prince of Wales to the arrears of the revenue arising from the duchy of Cornwall, and moved for the appointment of a committee to inquire what sums were due to his royal highness from that quarter. The chancellor of the exchequer professed to consider it as inconsistent with his duty to concur in the motion. As to the legality of the question he did not pretend to decide upon it, but he thought the discussion ought not to be entertained in that house. If it appeared in proof that no application for redress, supposing the wrong to exist, could be made elsewhere, it would then be time enough to apply to that house. He then moved the order of the day, which, after a long debate, was carried by a majority of 160 to 103.

In consequence of the death of the Earl of Clare, lord chancellor of Ireland, Sir John Mitford, speaker of the house of commons, was advanced to that high station. Exclusive of his great professional abilities, he was distinguished by being the mover of the Act of Tole-

ration in favor of the English catholics. The title of Lord Redesdale was conferred upon him, and the chair of the speaker filled by Charles Abbott, Esq., a lawyer of eminence, and who had the merit of possessing an intimate acquaintance with the forms, usages, and customs, of the house.

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As soon as the definitive treaty was known to be signed, which event took place on the 29th of March, the chancellor of the exchequer gave notice of his intention to repeal the income tax. While he acknowledged the burthen of the tax to be grievous, he owned, that had the war continued, the state of the finances would not have admitted of a repeal. But the tax was originally proposed as a war-tax, and it never had been in contemplation with him to continue it beyond the necessity which had caused its creation.

On the 5th of April Mr. Addington brought forward the annual state of the national finance. The income tax had been mortgaged by Mr. Pitt for £56,445,000, (three per cents.) for which, the present minister, in consequence of the repeal of the income tax, was obliged to make provision. The loan for Great Britain he stated at twenty-three millions, which he funded in the following manner: £65 three per cent. consolidated annuities; £60 three per cent. reduced annuities; and £6 19s 3d *deferred stock*, the

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1802. would revert to the government, making in the
aggregate the sum of £30,351,375. The capital
in the different funds, created by the conversion
of eight millions and a half of exchequer bills
into stock, previous to the Christmas recess,
was £11,138,062. For every £100 thus con-
verted, £50 was granted in the four per cents.;
£50 in the three per cents., £25 in the five
per cents., and one shilling and nine pence long
annuity. The aggregate sum, for which interest
was to be provided, amounted to no less than
£97,934,137, and the interest itself was stated
at £3,162,000. To defray this enormous demand
very heavy additional duties were imposed on
beer, malt, and hops. A considerable addition
to the assessed taxes also took place, and the
last article the minister had recourse to, was a
tax on imports and exports, being a modifica-
tion of the convoy duty. The combined produce
of the new duties was estimated at four millions.
In the progress of the business of revenue,
several alterations in the sinking-fund bills of
Mr. Pitt were proposed and carried into effect.
The last fund, provided for liquidating the debt
contracted since 1786, was much larger than the
original fund established for the liquidation of
the old debt, contracted prior to that period.
The old fund was originally made disposable by

parliament as soon as it amounted to four millions. These two funds it was proposed to consolidate, and to perpetuate, till the whole of the debt, both old and new, should be completely liquidated. The original fund had now risen to £,2534,187 and the new to £3,275,143 making together £5,809,330.

The old debt at this time amounted to something more than one hundred and ninety-eight millions; about forty millions having been redeemed, exclusive of eighteen millions transferred to government and virtually annihilated, as an equivalent to that portion of the land-tax which had been purchased. The new debt amounted to nearly three hundred and forty millions, something more than twenty millions having been redeemed by the operation of the new fund. The whole of the existing funded debt, including the loan for the current year, and deducting the amount of the land tax redeemed, was consequently about five hundred and twenty millions, the interest of which amounted to the vast sum of seventeen millions. This amazing debt, nevertheless, Mr. Addington observed, would, by the operation of the sinking fund appropriated to its liquidation, supposing that fund improved at the average interest of four per cent. only, be completely discharged in the comparatively short period of thirty-four years.

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Mr. Corry, chancellor of the exchequer for Ireland, shortly afterwards brought forward the business of the finance relative to that kingdom. It appeared that the debt of Ireland had risen, in the last ten years, from £2,300,000 to thirty-six millions, paying an interest for the most part of six per cent. He stated the deficiency of ways and means, when compared with the supplies, at £1,660,000, which, he proposed to raise by loan, in addition to a former loan of two millions, which the contractors for the English loan had agreed to furnish upon the same terms. Mr. Corry proposed several new taxes necessary to defray the interest of these new loans, which were agreed to; not, however, without some severe animadversions from several of the Irish members, who represented the state of the country as very critical and alarming.

A vote of censure on the late administration was, on the 12th of April, formally moved by Sir Francis Burdett. But as a vote of censure by the house would virtually have been a vote of censure on itself, there was no chance afforded of success. It gave, however, an opportunity to those who had supported the measures of the administration to exert themselves in their defence. And they not only bestowed high encomiums on the members of that administration, but Lord Belgrave, now the Earl of

Grosvenor, moved as an amendment to the motion of Sir Francis Burdett, "That the thanks of this house be returned to his Majesty's late ministers for their eminent services, in the exertions they made to preserve to us, unimpaired, the blessing we enjoyed during the late contest." The speaker having suggested the irregularity of this proceeding, the motion of amendment was, at the request of Mr. Pitt himself, withdrawn, and the original proposition was negatived by a vast majority of 246 to 39.

On the 7th of May another attempt was made to censure the late ministry. Mr. Nichol moved for an address to his Majesty, thanking him for the removal of the Right Honourable William Pitt from his councils. This again awakened, in a much higher degree, the zeal of Mr. Pitt's partizans and adherents. A vehement debate ensued, the result of which afforded them and him a second triumph. Lord Belgrave, as before, moved an amendment, expressive of the high approbation of that house respecting the character and conduct of the late minister and his colleagues.

Mr. Fox declared himself unable to vote either for the original motion or the amendment. He could not vote thanks for the dismissal of the late minister, until the dismissal itself was ascertained. It was alleged by Mr. Pitt and his

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friends, that he was not dismissed, but that he had voluntarily resigned from inability to realize his plan of catholic emancipation. If so, nothing, in his opinion, during the seventeen years of Mr. Pitt's ministerial life "became him like the leaving of it." The motion of Lord Belgrave was at last carried by a great majority; and also a second motion by Sir Henry Mildmay, "that the thanks of the house be given to the Right Honourable William Pitt, &c."

The debate on the definitive treaty came on in both houses on the 13th of May. It was opened by Lord Grenville in the house of peers, who acknowledged that the unfortunate treaty in question, having been ratified by his Majesty, was now irrevocable. He wished only to point out the perils which impended, and the means of safety which yet remained. "Ministers," his lordship said, "had made no attempt to weaken the power of France on the continent; but, by the concessions they had made, they had given to France the power of weakening us in our colonial possessions. Our right of sovereignty in India was not recognized; and the Cape of Good Hope was ceded to Holland, or, in fact, to France. In the West Indies we had ceded Martinique and our other conquests, and facilitated to France the recovery of St. Domingo. In the Mediterranean we had dispos-

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essed ourselves of Malta, Minorca, and even of the Isle of Elba, which France coveted as the means of excluding us from Leghorn. Whatever the valor of the British army had won, the incapacity of a British ministry had lost. He asked whether the advantages of such a peace preponderated over the disadvantages of the war? If the war was renewed, it would be renewed with every possible disadvantage. If the peace continued, the omission, in the treaty of Amiens, of the renewal of all ancient treaties would be found productive of the most alarming consequences. His lordship concluded by moving, that an humble address should be presented to his Majesty, acknowledging his Majesty's prerogative to make peace or war; but suggesting the dangerous situation in which the country was left by the late treaty, and which, testifying the zeal of the house to support his Majesty in the maintenance of his just rights, should express its solicitude for such an establishment in future, as might be compatible with the existence of a naval and military force adequate to the dangers of the country, &c."

The motion of Lord Grenville was most ably supported by Lord Caernarvon, Lords Hobart and Pelham; the Lord Chancellor, and the Earls of Westmoreland and Roslyn, defended the articles of the definitive treaty. The Earl of Roslyn, however, acknowledged the treaty

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to be inadequate to our successes. The motion was finally negatived by a majority of 122 to 16.

Mr. Windham moved, in the house of commons, a similar address, which he enforced in a speech of great length, distinguished by its eloquence and force of argument. He said, "that the colossal power of France resembled nothing that had existed since ancient Rome. In ten years the French had acquired more than the Romans had ever achieved in half a century. On the map of Europe, only two nations stood erect; and of these, the one from distance more than strength. There was no single power which could enter the lists with France. In the first conflict it would be crushed by her tremendous mace. It was indeed by some supposed, that, though Europe should be wrecked, we at least might take to our boat and escape. But by the spectre of French power we should still be pursued. In Asia, in America, it would follow close, scaring us with its gorgon aspect." Mr. Windham asserted, "we had given away two continents. It was obvious that the object of France was universal empire, while we had reposed supinely with blind confidence and security. He insisted with great truth, *that the country had never been well aware why it was at war.* With regard to the peace, the bond," he said, "was signed, and we were

under an obligation to adhere to it; but he thought the predictions of evil from the aggrandizement of France, if not immediately fulfilled, must eventually be verified."

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The terms of the peace were strenuously defended by Lord Hawkesbury. At the juncture," his lordship said, "at which the present administration entered on negotiation with the French government, it was not practicable that any treaty of peace should remedy the disorders of government. It was enough for Britain to secure her own interests and those of her allies. As to the question how far the intermediate events would have justified the government in refusing to conclude a definitive treaty on the basis of the preliminaries," he observed, "that with the first intimation received by this government of the new constitution of the Italian republic, they had heard of its acceptance by the courts of Vienna, Berlin, and Petersburg. Under these circumstances, was it incumbent upon us to continue the war on account of the Italian republic? The cession of Louisiana by Spain to France was another ground of complaint. That province had originally been a French colony, having been ceded by France to Spain after the treaty of 1763. The value of it at present was merely nominal. As a naval station, New Orleans was unimportant; and the vicinity of Louisiana to the United States of

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America was calculated rather to diminish than to augment the attachment of that country to France. The non-renewal of ancient political treaties by the present, his lordship denied to be a defect. Formerly, in all treaties of peace, it had been customary to renew the preceding treaties. In the present war no continental power had done so; consequently, if we renewed former treaties, *we* alone should be bound, while other nations were free. The treaty of Westphalia, to which all subsequent treaties for a long period had reference, was now not in force; and it would have been highly impolitic in us to sanction the recent encroachments of France, and the dismemberment of the German empire, by a formal accession to the treaty of Luneville. With regard to commercial treaties, it had been found, in present circumstances, impracticable; but it was absurd to suppose, that either our commercial rights, such as cutting logwood in the Bay of Honduras, or our rights of sovereignty in any part of the globe, particularly in India, depended upon these renewals.

“Malta,” his lordship said, “had been avowedly occupied with the intention of restoring it to the Order of St. John. The introduction of a Maltese *lungue*,” he contended, “was a just tribute to the brave conduct of the inhabitants. The guardianship of Malta having been declined by Russia, it was placed under

the protection of Naples, a country yet more interested in its security. His lordship reminded the house of the advantages accruing to the kingdom from the acquisition of the Mysore, and the destruction of a power in India, the natural ally of France, and the inveterate foe of Britain. Both in the East and West Indies our possessions were augmented, and our colonies had rapidly increased in value. In regard to the permanence of the peace, he was willing to admit, and to deplore, that, in the present state of the world, any peace was insecure; but the precarious tenure on which this blessing was to be holden, was no reason for rejecting it. France had renounced her revolutionary principles, and had resumed her old maxims of politics and religion. After the preceding convulsions, a good government was scarcely to be expected; an ameliorated government was, however, gradually forming from the ruin of revolutions. Had France remained under the Bourbons, she would have been equally our rival—under all governments her ambition would have been the same. Finally,” his lordship observed, “that we had emerged from a dangerous war, with our credit and resources unimpaired; and that it was improper to waste them in an unavailing continuance of the contest, or to exhaust, by fruitless efforts, the strength and spirit of the country.”

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Mr. Addington's sentiments nearly coincided with those of Lord Hawkesbury. He candidly admitted, however, that the treaty of Amiens had never been regarded by him as a subject of exultation; but he trusted that the honor of the country remained unsullied. "The territorial acquisitions of France could not," he acknowledged, "be viewed without regret; and that the state of Europe was far from such as we could regard with satisfaction. But is it given us," he said, "to redress that grievance? We ought to reserve our strength for future occasions, when it might be put forth with a prospect of success, and not waste it, as it must have been in this case, without any chance of advantage."

Mr. Sheridan finished the debate with a speech of great animation. He remarked, that the discussion of the necessary, though disgraceful, treaty of peace, furnished the best defence of the conduct of those who had uniformly opposed the war. For his part, he supported the peace because he was convinced that ministers could obtain no better. Their predecessors had left them to choose between an expensive, bloody, fruitless war, and a hollow, perilous peace. "For the attainment of what object or purpose," Mr. Sheridan asked, "did we go to war? To prevent French aggrandizement. Have we done that?—No. But the

recovery of Flanders and Brabant we pronounced the *sine quâ non* of peace. Are they recovered? —No. Then come—*security* and *indemnity*—Are they obtained?—No. The late minister told us, that the example of a jacobin government in Europe, founded on the ruins of a holy altar, and the tomb of a martyred monarch, was a spectacle so dreadful and infectious to christendom, that we could never be safe while it existed, and could do nothing short of our last effort for its destruction. For these fine words, which had at last given way to ‘security and indemnity,’ we had sacrificed near two hundred thousand lives, and expended three hundred millions of money—and had gained—Ceylon and Trinidad! As it was not unusual, upon great occasions, to confer new appellations as well upon things as persons, he proposed that our two acquisitions should in future be named *Security* Island, and *Indemnity* Island. He admired the talents of the late minister, but he had misapplied them in the government of the country. He had augmented our debt, diminished our population, abridged our privileges, and done more to strengthen the power of the crown at the expense of the constitution, than any minister who had ever conducted the affairs of this country.’

The house at length divided on Mr. Windham's address, a great majority was in favour

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of the treaty, and of the amendment of Lord Hawkesbury.”

The last discussion of importance which came before the house was occasioned by a motion made on the 27th of May by Mr. Canning for an address to the throne, requesting that no negro should be suffered, under the present circumstances, to be imported into the island of Trinidad, and that a plan of regulations be framed for promoting the future cultivation and improvement of that island, in the manner least likely to interfere with the wish expressed by the house for the gradual diminution and ultimate termination of the African slave trade, &c.

The chancellor of the exchequer declared, that the motion of Mr. Canning was such as he could not, at this time, assent to: nor did he see how the question, as it related to Trinidad, could be separated from that of the general policy of the slave trade. He acknowledged that every sentiment and feeling of his mind went to the abolition of this infamous traffic; but this could only, in his opinion, be accomplished by a system of regulations, and the gradual effect of moral causes. He said, that able surveyors had been actually appointed by government to report the state of Trinidad, and previous to such report he hoped that parliament would come to no decision; after which he should

wish to see a committee of that house appointed to take into consideration the whole of the African slave trade, by which means, he trusted, that more would be effected than by any partial discussion. In the mean time, he pledged himself that no grants should be made that would enable the grantees to set up any claims, on their part, precluding parliament from doing any thing which to its wisdom and discretion should seem meet. On this explanation, Mr. Canning, with the approbation of Mr. Wilberforce, withdrew his motion.

On the 28th of June, being the last day of the session, the speaker presented, according to ancient usage, the money bills to his Majesty, on which occasion, he made a speech, which impressed no favorable ideas of his political principles; and which formed a striking contrast to the celebrated address of Sir Fletcher Norton, on a similar occasion, within the short lapse of twenty-five years.

This parliament was dissolved by proclamation on the 29th of June, 1802. The minister, avoiding any interference whatever in the ensuing elections, the choice of the people fell, almost generally, where there were any contests, upon men of independent principles. Mr. Windham was superseded at Norwich by Mr. William Smith, whose claims, in spite of the local interest of his antagonist, were founded

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on his public character, and parliamentary conduct. In the county of Middlesex, Sir Francis Burdett was returned, after a severe conflict, in the room of Mr. Mainwaring, who had, on many occasions, rendered himself extremely obnoxious to the majority of the electors.

The second imperial parliament met on the 16th of November, 1802, when Mr. Abbot was re-elected speaker of the house of commons. His Majesty opened the proceedings on the 23rd, with a speech from the throne, in which he declared that, "in his intercourse with foreign powers, he had been actuated by a sincere disposition for the maintenance of peace. It was, nevertheless, impossible for him to lose sight of that established and wise system of policy by which the interests of other states were connected with our own; and he could not, therefore, be indifferent to any material change in their relative condition and strength. My conduct," continued his Majesty, "will be invariably regulated by a due consideration of the actual situation of Europe, and by a watchful solicitude for the permanent welfare of my people. You will, I am persuaded, agree with me in thinking, that it is incumbent upon us to adopt those means of security which are best calculated to afford the prospect of preserving my subjects the blessings of peace."

The address of thanks to his Majesty was voted in the house of peers by Lord Arden, and seconded by Lord Nelson. Lord Grenville prefaced a nervous and comprehensive speech by stating, that the present parliament was assembled at a moment the most awful and anxious of any that ever a British legislature met its sovereign. His lordship recapitulated every event which had agitated Europe since the signature of the definitive treaty; commented on each of the many instances in which the peace had enabled France subsequently to aggrandize herself; and reprehended, in severe terms, the imbecile measures of the ministers. "We had no choice now; let us wish for peace ever so much, we could not keep it; if there was any hope it could only be founded in measures of complete preparation, and in the language of energy and decision held out to the enemy." Lord Carysfort, in an able speech, enforced by new illustration the arguments of Lord Grenville, to which Lords Pelham and Hobart replied. The question was then put upon the address, and carried without a division.

In the house of commons, Mr. Trench moved the address of thanks, and the motion was seconded by Mr. Curzon, in which he was ably supported by Mr. Fox, who strongly recommended measures of a pacific nature. A vigorous

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and animated debate followed, during which Mr. Windham expressed "his surprise at the course which had been taken, and the mildness with which the encroachments of France had been discussed. We had no assurance of the amity, or of the forbearance of that country. Every day told us of some new usurpation on her part. Where was Holland?—gone. Spain?—subdued. Portugal?—the same. Italy?—in thralldom. Germany?—torn to pieces. Piedmont?—gone. Switzerland?—in fetters. And yet, under these circumstances, we pause and hesitate respecting our rule of action. What had France done in the last six months? Look at the map. Measure her progress; not by countries and provinces, but by degrees of longitude and latitude. Look at her situation and population. But it has been said that France was always more populous than this country, and that therefore there is no increase of danger. Let it be considered that there was formerly a counterpoise on the continent to her numbers: and at the present moment this counterpoise forms, in a great degree, a part of her own number. The only consoling argument held forth was, the reduction of our expenses, as if any saving of ours could keep pace in effect with the political influence of France. A war, in fact, was the only chance for our safety. We had come to that state, that it was

either ‘aut Cæsar, aut nullus.’ We were either to be reduced to the abject situation of Spain, or converted into a province for the purpose of growing timber for the navy of France, and for producing a hardy race of men to recruit her armies.” He concluded with conjuring the house to recollect the dying words of that illustrious statesman the late Earl of Chatham, whose last political exertions, and whose last sentiments were uttered with a resolution, “that, sooner than submit to any thing derogatory to the honor of his country, he would pawn the shirt off his back.”

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The chancellor of the exchequer contradicted the opinions of Mr. Windham, “which,” he said, “tended to dishearten and discourage the country, and were inconsistent with the actual comparative state of this country and France. It was the policy of ministers to maintain and uphold, by every possible means, the sources of the national prosperity. They were determined to preserve peace, whilst it could be done with due regard to the national dignity.” Mr. T. Grenville, Lord Castlereagh, and Mr. Whitbread, each spoke upon the question; after which it was carried without a division.

On the 1st of December the house resolved itself into a committee of supply. The sum of £2,781,532 was granted for paying off exchequer bills, which were outstanding and unprovided

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for. Fifty thousand men were voted for the sea service for 1803, including 12,000 marines, and £2,437,500 for their maintenance; £1,950,000 were voted for the wear and tear of ships, and £162,500 for ordnance for sea-service.

On the vote for 50,000 seamen being brought up the next day, Mr. T. Grenville condemned the novel and unprecedented mode adopted, of calling such a number of men in time of peace, without any explanation why they were voted. This was the more singular, because the late speech from the throne was of a warlike nature. In June, when 70,000 men were voted, the minister expressed his belief that the next vote would only be for 30,000. The house ought, therefore, to know the grounds of the vote they were to give. He then took a comprehensive view of the relative situation of Europe, and the state of the navy of the different powers, and expressed his fears from the preponderating power of France. The minister defended the conduct of administration, and entered into a justification of the measure in question. He stated the necessity of being prepared for difficulties, though he did not consider the present as the permanent peace establishment. Several other members delivered their sentiments, and the resolutions were agreed to.

After the private business of the day had

been discussed, the secretary at war, on the 8th of December, submitted, in the committee of supply, the proposed military establishment for the ensuing year. He admitted that the estimates presented the details of a military establishment, greater, both with respect to the number of men, and the expense that would be incurred, than any which had ever been maintained by this country in a period of peace; but it was evident that a larger establishment was necessary in the present posture of affairs. The force intended to be kept up was then explained by the secretary; the whole of the expense, as appeared by the estimate, would amount to £5,270,000, and, together with some necessary additions, would fall within five millions and a half. This was less than the expense of the current year by £2,070,000, and less than that of the last year of the war by £10,130,000. In short, it appeared that our united force, exclusive of the army in India, would be 200,000 men; this he thought a refutation of the charges of timidity and supineness made against ministers, and concluded with moving the first resolution.

Mr. Sheridan commented at length on the speeches of most of the members who had spoken, and on those who persevered in the war against the warning voice of Mr. Fox. He declared his opinion, "that this country had no

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retreat in insignificance; and that if we were reluctantly compelled into a war, we should resolve to pursue it with vigor and effect, or resolve to perish in the sacred flame with glory and with honor. I cannot bring myself to think," continued Mr. Sheridan, "that the insatiable ambition of the first consul, aiming at universal dominion, would very willingly leave the fraction that now belongs to England; his power and inclination must necessarily be progressive. France is by no means what it was under the sceptre of the Bourbons. They had some regard to hereditary succession, and the various relations composed with it. But Buonaparte is under the moral and physical necessity of coming to an agreement with his subjects, that he will make them masters of the world, if they will but consent to be his slaves.

The house, on the 10th of December, having resolved itself into a committee of ways and means, the chancellor of the exchequer moved for the amount of the produce of the permanent taxes for the year 1802. He then observed, that he had apprised the house of his intention to move for granting £4,000,000 on the growing produce of the consolidated fund. He did this on the probability of our being in a prosperous situation, and also in an embarrassed one; for, in consequence of the increase of our revenue, there might be a larger sum in the

exchequer than that for which credit had been taken by government; and without the permission of parliament this redundance could not be applied to the public service. Up to the 5th of April, 1803, he had taken credit for £4,500,000, as the growing produce of the consolidated fund. On the 5th of October it had amounted to £3,800,000, so that there would be a considerable overplus; and as the house would doubtless vote the supplies of the year, he thought proper to lay before them the state of the finance, previous to Christmas. Before producing the ways and means, he adverted to the arrangements of the present year. A capital of £97,000,000 had been provided for: the income tax was mortgaged for £56,000,000, which, together with interest, loan, &c., amounted to the stock of £97,000,000 abovementioned, the interest of which was £3,100,000. In the course of the current year, £18,000,000 of unfunded debt had been taken out by government. The navy debt had been reduced one half. The unfunded debt, at the commencement of the last session, amounted to £37,377,260. The present unfunded debt was £19,580,000, including £4,500,000 navy debt; of this, £15,800,000 consisted of exchequer bills. The amount of the supplies to be raised was estimated at £22,826,237, of which Ireland was to contribute £2,123,015. The minister then ex-

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pressed his conviction of the propriety of what he formerly urged, viz. that a provision should be made for the permanent charges of the country, out of a permanent revenue ; that our revenue should be raised to our expenditure, and our expenditure not be accommodated to our revenue ; but he added, that he had not felt it necessary to make any proposition for increasing our permanent burthens, nor did he think such a measure would be requisite in the present session. In order to prevent the glut of exchequer bills in the market, he should, at an advanced period of the session, propose to fund from six to eight millions of exchequer bills, if that operation could be made on advantageous terms ; but, if not, a loan must be provided to that amount. After adverting to our rapid and increasing prosperity, he proceeded to state the ways and means for raising the supplies. They were the land and malt taxes, £2,750,000 ; the surplus of the consolidated fund, nearly double that of the last year, amounted to £6,500,000 ; the exchequer bills, £11,000,000 ; and the lottery £500,000 ; making together, £20,750,000. He then stated the amount of the exports and imports, by which a great increase had appeared to have taken place since the peace. Alluding to the national debt, he observed, that at the present time, while the charge for the interest of the

debt was £18,000,000, the sum applicable to the reduction was £6,000,000. The minister then concluded with passing some high encomiums on the financial abilities of his predecessors, to whose wisdom he attributed the enviable state of the country. The resolutions were agreed to.

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The chancellor of the exchequer gave notice, that it was his intention, early after the recess, to submit to the house a proposition for consolidating the duties of customs. That proposition would not only embrace the plan adopted in the year 1787, but would include several additional articles to which that plan did not apply. In alluding to a bill for extending the system of bonding and warehousing, he wished it to be understood, that it was not in contemplation to adopt any thing like a general system of free ports, but merely a partial extension of the present regulation. To that effect, a discretion would be vested in such hands as the wisdom of parliament should think fit, for granting licences to port-towns, enabling them to participate in the advantages of the intended regulation.

The year 1803 commenced under very different circumstances, compared with the preceding. Unbounded confidence in the government; security in the good understanding between Britain and France, and a firm reliance on the con-

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tinuance of a peace, for which so many sacrifices had been made on our part, and by which so many advantages had been secured to the enemy, marked the first of these periods. Of the latter æra; distrust in the ability and firmness in the King's ministers; demonstrations, which could not be mistaken or explained away, of the hostility of the views and designs of the ruler of the French nation; and the almost inevitable rupture of the treaty of Amiens, and a renewal of the war, werethe most prominent features of public opinion.

On the 29th of January, the parliament adjourned until the 2d of February. When they again assembled, the minister moved to bring in a bill for the renewal of the Bank restriction bill. He looked forward with confidence to the period when the Bank would resume its former practice, but at present, though there could be no doubt of the sufficiency of the Bank establishment, it ought not to be exposed to the demands of specie for country Bank notes, particularly as we received no ingots or bullion from abroad. He only wished to see the restriction continued, till the course of exchange became fixed, and observed, that the causes which led to its unfavorable state, were not likely to occur; amongst these were the purchase of corn in foreign markets with twenty millions of money, and the draw of specie for the payment of our army and navy abroad.

Mr. Tierney observed, that the house ought to oblige the Bank to prove that it was ready to pay in cash whenever the restriction was at an end. He thought the house should be very careful in sending forth an opinion, that a farther restriction was convenient to the Bank, lest they should incur the suspicion of being the blind followers, or accomplices, of the directors. After some very pointed observations from Mr. Fox, and Mr. Banks, who intimated his intention of moving for an inquiry into the causes of the continuance of the bill, Lord Hawkesbury spoke in defence of the chancellor's measure, and strenuously urged the necessity of its adoption. The restriction was to continue six weeks after the next session of parliament. The bill met with much opposition in the house of lords, and Lord Moira observed, that no measure ever more loudly called for discussion and explanation on the part of ministers; he considered its continuance as a measure of government at the instance of the Bank, or the effect of an accommodation between those parties, and contended, that the restriction produced the unfavorable state of exchange, and that no necessity existed for the measure. The bill was at last finally passed into a law.

On the 16th of February a message was delivered to both houses from his Majesty, recommending to the consideration of parlia-

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ment, the situation of the Prince of Wales, and relying on their attachment to take such measures as were calculated to increase the comforts of so distinguished a branch of the royal family. On the motion for considering his Majesty's message, Colonel Stanley wished to know whether the difficulties of the prince were to be removed by any new step, or whether the matter was like a compromise on account of certain claims. If it was considered as the latter, the first law authorities, he asserted, were divided on the subject of the legality of such claims. He thought the prince was precluded from any application in his behalf, in consequence of the King's message of the 21st of May, 1787.

The speaker having left the chair, the chancellor of the exchequer introduced his proposition by alluding to the constitutional interest of the committee, in the splendor and dignity of the heir apparent. He referred to the proceedings respecting the prince, in 1795, and recapitulated the different grants made to the Prince of Wales since 1742, in order to shew, that the income of the present prince, in 1795, was not greater than that enjoyed by his grandfather. He then entered into a detail of the application of the funds for the liquidation of the prince's debt; the result of which was, that on the 5th of January last, there had been paid off 563,895*l.*, and continuing the operation of this plan, the

whole would be discharged in July, 1806, leaving a balance of something less than 100*l.*, and allowing 6000*l.* for the charges of management.

His proposition was, "That his Royal Highness should be placed, from the 5th of January, 1803, in the situation in which he would have been, but for the provision which was made for the arrangement of his affairs, in the year 1795, or that he should receive a grant of 60,000*l.*" He did not wish to interrupt the plan adopted for liquidating the debts, or for preventing new ones. After taking a view of the great change in the value of money during the last eight years, in order to shew the necessity of his proposition, he moved, that a sum, not exceeding 60,000*l.*, be taken out of the consolidated fund, and granted yearly from the 5th of January, 1803, to the 5th of July, 1806, towards providing for the better support and dignity of the Prince of Wales.

The residue of the prince's debts unliquidated, amounted to 235,754*l.*, and, as there remained such heavy claims upon him, Lord Moira thought it necessary, that a large sinking fund should be created in order to clear them off, before his Royal Highness assumed his dignity. With respect to the Cornwall claims, the prince still continued convinced of their validity, but, out of gratitude for the interposition of his father, he had given directions to drop

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the suit he had commenced, rather than prosecute his claim in a hostile manner, and add to the burthens of the people. The bill was passed in the course of the session, and received the royal assent.

The house having resolved itself into a committee on the Irish revenue acts, the chancellor of the exchequer for Ireland, on the 2d of March, made a proposition, the object of which was, to assimilate the collection of revenue in that country with this, by moving resolutions for continuing the present duties, granted for the support of the government, perpetually, instead of annually. On the resolutions being put, a long and desultory conversation ensued respecting the precipitancy with which the measure was attempted to be hurried through the house. The principal objections were to the tax on windows, and the tax on tanners, which, it was contended, were extremely obnoxious to the people of Ireland. After a reply from Mr. Corry, and some remarks from Mr. Addington, the resolutions were agreed to.

The mutiny bill was also passed, in which various alterations had been made. Courts-martial were deprived of the option of sending deserters to the settlements abroad, instead of condemning them to death. The principal amendments were to sentence them to transportation for life, or for an optional term of

years, and that every soldier, confined for debt, should forfeit his pay while in prison.

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A message from his Majesty was delivered to both houses of parliament on the 8th of March, stating that as very considerable preparations were carrying on in the ports of France and Holland, his Majesty had judged it necessary to adopt additional measures for the security of his dominions ; although the preparations referred to were avowedly directed to colonial service, yet as discussions were subsisting between his Majesty and the French government, the result of which might be uncertain, he relied on the public spirit and liberality of his parliament to enable him to adopt such measures as circumstances might require, for supporting the honor of his crown, and the essential interests of his people.

On the order of the day for taking into consideration his Majesty's message, Lord Hobart moved, in the house of peers, an address on the occasion. Earl Spencer gave his full approbation to the proposition ; and felt the necessity of vigorous measures in the present relative situation of Great Britain and France. Lord Moira also gave his assent to the motion, but thought " the house was by no means satisfied that the causes of this measure did not exist long ago ; and as ministers, at the close of the last session, had declared, that no serious appre-

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hensions were entertained, though an increase of our establishment was proposed, he thought the house should, at least, be given to understand what had thrown such a new color on the pretensions of the enemy. The Earl of Westmoreland and Lord Auckland followed on the same side. The latter took a view of our improved finances, and, from a variety of calculations, deduced, that the country now possessed, after the discharge of debt, an income of not less than £17,000,000 a year. After some explanations, the address was unanimously voted.

In the house of commons the chancellor of the exchequer, on proposing an address, adverted to the military preparations on the coasts of France and Holland, and to the discussions subsisting between his Majesty and the French government. If the latter did not terminate happily, he declared that the house should be put in possession of every topic that could cast light on the conduct of ministers from the ratification of the treaty to the present moment. It would occur to the house, that there should be now some augmentation of our naval force, and some increase to our internal security, by embodying the militia, &c., and concluded with moving the address.

Mr. Fox took a clear and comprehensive review of the different points in the message ;

and lamented that he was in such utter darkness respecting its importance, inasmuch as his Majesty did not give the house the slightest hint of the nature of the subjects in discussion, to which he alluded. He was ready to thank him for his communication; but there never was a period in which it was so essential for us to avoid the calamities of war as the present; and if we were involved in hostilities, from any fault of ministers, they would be the most guilty counsellors in the world. After an animated debate, the question was carried without a dissentient voice.

On the 11th of March, the house resolving itself into a committee of supply, Mr. Garthshore moved, that 10,000 men, including 2,400 marines, be employed, for ten months, in the sea-service of Great Britain. In the debate which followed, Mr. Francis, amongst other strong observations, the result of deep reflection, stated, that though disappointed with respect to the preliminaries, yet he was obliged to ministers for making the peace; the object was desirable, and obtained at a full price: it was therefore a matter of reproach, if, after such terms, we had obtained only an insecure peace, or a certain war. Until ministers gave the necessary explanations, they could not expect the house to continue its confidence, particu-

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larly as the first alarm had a great effect on the public mind.

The chancellor of the exchequer, in answer to the arguments of Mr. Francis, observed, that if peace had been made inconsistently with the honor and safety of the country, ministers were responsible to the house and to the nation. There was no advice given to his Majesty, with respect to the discussion before the house, that was not in the true spirit of peace; and if the explanations demanded, were to be given, they would tend to embarrass the pending discussions.

Mr. Fox spoke at some length to shew the necessity of information from ministers. He admitted that the prerogative of the crown was to make war and conclude peace; but this power was limited in substance, though not in theory. In proof of this, he entered into long historical details, to shew that the house had a negative power, to resist the royal prerogative, by refusing to grant the supplies. At present, if an explanation were given, parliament might differ from ministers, and vote the war unnecessary; but, if they risked another war, they had nothing to do with the treaty of Amiens. In getting rid of the war, they got rid of great incumbrances, namely, those detestable principles on which the war had been commenced.

He did not assert that religion and social order were detestable, but he meant the gross hypocrisy of asserting such to be the cause of war. If, however, another war was necessary to restore this country to her rank in Europe, then every British subject would join in so good a cause. Mr. Fox concluded with repeating, that he hoped ministers would satisfy the house that they had cogent reasons for rekindling the embers of war.

After some explanations, by no means satisfactory, the sum of £130,000 was voted for the maintenance, and £27,000 for the pay of ten thousand men for ten months.

In the house of commons the same day, the secretary at war obtained leave to bring in a bill to consolidate the laws relating to the relief of the families of militia men; the principal alteration intended to be made was, to throw the burden of providing for the families of substitutes on the county instead of the parish.

In a committee on the East India accounts, Lord Castlereagh entered into a detail of the transactions of the company, and the state of their affairs at home and abroad. From the general result of debts and assets, it appeared that, adding the decrease of the debts to the increase of the assets, the improvement in the home concern was £1,969,330. On exhibiting the prospective view it appeared that the an-

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nual interest of the Indian debt of £18,500,000 (of which £16,000,000 carried interest) was £1,438,791. His lordship then stated, that after making the most ample allowance for the event of a war, there would still remain £500,000 of net proceeds applicable to the reduction of debt, and that the available resources of the company would leave them for the extension of trade £3,400,000. The military force of the empire in India, he estimated at 124,280, men, of which 24,400 were regular troops including 17,000 king's troops, native troops 89,900; of what he termed irregulars, about 10,000, including Lascars, &c.

The increase of revenue which the company possess in India may be attributed to the violent grasping of territory to which they have had recourse, from those who were called allies; and it is evident that, as an increase is made to the empire, the security of the country for the payment of the debt of the company must decrease, because they are led into new and extraordinary expenses. Although it had been stipulated, on the renewal of the charter, that the sum of £500,000 should be annually paid for the public service, yet it had been paid but one year; nevertheless Mr. Dundas had renewed his promise of its being paid year after year with renewed confidence.

Various debates had arisen relative to the

Irish Militia bill. Mr. Wickham proposed a resolution authorizing the lords of the treasury in Ireland to give bounties, not exceeding four guineas a man, to persons enrolling themselves in the militia of Ireland; the bounty, at this time, being only two. It was suggested that the militia in Ireland, as well as in England, should be raised by the constitutional mode of ballot, rather than by bounties. And this dereliction of the only mode of raising a militia known to the law and constitution, was a sufficient proof, that the confidence so often expressed by administration, in the peaceable disposition and attachment to the government of the people of Ireland, was either not believed by themselves, or that they acted under the influence of the grossest deception. To all thinking minds this abandonment, both in letter and spirit, of the law, by which this constitutional force had hitherto been raised, and the substitution of an army of mercenaries (from the impossibility of enforcing the original act in Ireland) was a source of the most serious and well-grounded alarm.

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On the 28th of March Lord Ellenborough brought forward, in the house of lords, the bill now known by the name of "Lord Ellenborough's Act," for making the maiming, wounding, and disfiguring, any of his Majesty's subjects,

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a capital felony, and in which he assimilated the criminal law of Ireland to that of England.

Immediately after the Easter recess, the house resolved itself into a committee to consider the giving facilities to mercantile transactions. The chancellor of the exchequer proceeded to detail his plan for the consolidation of the duties, raised under no less than one hundred and seventy acts of parliament. He stated that the principal object of the bill, was to simplify the mode of collecting the duties; although, ultimately it might lead to increase of revenue; and dwelt, with considerable force, on the great resources which this country derived from its commerce, which, he affirmed, had increased under every pressure of circumstances.

The agitation of the public mind at this period was great beyond all precedent. The information which might lead to a proper estimate of its real situation, had been constantly denied by ministers to the country: and the indecision and want of firmness which they had shewn on every trying occasion left little room to hope for an honorable termination of the pending discussions with France. No circumstance had tended to deprive Mr. Addington of the public confidence and esteem as his retreat from his assertion delivered on the 2nd of December of the last year, that “in case of

emergency, fifty sail of the line, and even a greater number, could be prepared for sea in one month." On the 4th of May, two months after the King's message had declared the necessity of arming, he was obliged to own we had but thirty-two ships of the line in commission, which were even not *fit* for sea, and that when he had asserted that we could equip fifty ships, he only meant *rigged and fitted out*, but not *manned and ready for service*. Much, indeed, were the parliament and the people surprized, in the course of the debate, on Sir Henry Mildmay's motion for naval inquiry, to hear from one whose ministerial functions gave him the most accurate means of information, that "he desired to be understood, that in all parts of the world we had a naval force much more than adequate to cope with the force of any power in Europe, and that at home, it was amply sufficient to meet any French force, which consisted of nothing better than fishing-boats, and existed only in the minds of a few gentlemen on the other side of the house."

Thus in the face of the nation and of all Europe, was made a specific declaration by a minister, which left the public to conclude, that the alleged causes of our arming did not exist; and that they were stimulated by the king's government, for the purpose of covering the real grounds of our hostile preparation,

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which were such as would not, or could not, be avowed. It is but justice to state, that Captain Markham, one of the lords of the admiralty, who had made this extraordinary acknowledgment, endeavoured, by an entire and immediate retraction, to explain it away, and give it the semblance of a mere professional boast; but the assertion remained in its full force, and subsequent facts have abundantly confirmed the impression it made.

An important communication was made on Friday, the 6th of May, to both houses. His Majesty had given orders to Lord Whitworth, that if he could not, against a certain period, bring the negotiations then pending to a close, he should immediately quit Paris. General Andreossi, the French ambassador, had also applied for a passport to be ready to quit London, as soon as he should be informed of Lord Whitworth having left Paris. There were now grounds to suppose his lordship was on his return, and it was therefore proposed to adjourn until Monday. This motion for adjournment met with much opposition; after some hours spent in private debate, the house divided, and resolved, by a majority of ninety, to adjourn. On Monday there was an unusual full attendance of both houses, as a communication was expected. It was, however, intimated, that in consequence of a new proposal,

his lordship had determined to continue his stay in Paris until an answer could arrive from this country. This proposal was, nevertheless, of such a nature as could not be then communicated to parliament, and no expectation could be held out that any consequences would result from it, save a short delay in waiting for the answer.

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On the thirteenth of May Lord King moved in the house of lords, "that a committee be appointed to inquire into the state of the finance of the country." The accounts which had been presented with so much exultation, appeared to him very defective, and materially fallacious; and, he thought, at the present time, the most mischievous consequences might result, from the entertaining a false idea of the financial situation of the country. After a variety of statements, in which he compared our revenue and expenditure, he endeavoured to prove, that instead of a million surplus of revenue, there was in fact a *deficit* of nearly double that amount.

However the opinion of the public respecting the political abilities of the minister might hitherto have oscillated, certain it is, that previous to the discussion of Lord King's motion, it inclined strongly towards his financial science and administration. The pompous and elaborate statement which had been given of the

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resources of the country, when contrasted with its expenditure, in the month of December, and which had been re-echoed through the medium of ministerial publications, had flattered the nation into a belief of great and increasing prosperity; and the public naturally looked to Mr. Addington with gratitude and admiration as the restorer of its credit and its finances. But the veil was drawn aside which had hitherto obscured the real state of things from the view of the country, and presented a prospect abundantly mortifying, whether considered with respect to the resources of the country, or the abilities and integrity of those to whom they were intrusted.

The most thorough refutation and exposure of the splendid fallacies of the minister took place. It was reserved for Lord Grenville, who, on this occasion, far transcended all competition, to explore, step by step, the labyrinth, in the mazes of which, imposition had been concealed, and drag it into the face of day, to meet merited contempt and ignominy.

He proved, by the most incontrovertible evidence, that instead of a surplus of a million there actually existed a *deficit* of four, making in the whole, a difference between the reality and the estimates of the minister, of five millions. So complete was the effect of this disclosure, either of the grossest ignorance or the

most wilful deception on the part of government, that no defence in reply was attempted on the part of the ministry, though all the peers in official situations were then present. Some murmurs were indeed heard at the bringing forward a motion of this nature in the upper house of parliament, but the discussion was provoked by the vaunts which had been made of the “magnificent receipts,” and the brilliant state of the resources of the country. It also exhibited the lamentable weakness of an administration which could be attacked on the subject of finance with impunity in the house of peers, for want of any minister capable of defending their measures.

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On the 16th of May, a message was presented from his Majesty to both houses, which put a final stop to every hope of peace, by informing them that Lord Whitworth had been recalled from Paris, and that the French ambassador had left London. As it would take some time before the necessary papers could be prepared for the consideration of their contents by parliament, both houses adjourned to Monday following. On the 18th, copies of the letters and state papers, forming the correspondence between Great Britain and France since the peace of Amiens, were presented.

Monday, the 23rd of May, was appointed for the discussion of the causes of the war, and

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the whole conduct of ministers in the negotiation. The subject was of such uncommon interest, that there was, perhaps, never before exhibited so much anxiety in the public to be present at any debate. The subject was entered on in the house of lords by Lord Pelham, who moved the address. After a few preliminary observations, he traced an outline of the conduct of the two governments since the peace of Amiens; first, as to Malta, which was the prominent feature in discussion, the British government had taken the necessary steps for carrying the treaty into execution; when, about the 27th of January last, the evacuation of that island was pressed, in a peremptory manner, by the French government. About the same time ministers had felt it their duty to demand an explanation of the pretensions advanced, and the views disclosed by the French cabinet. It was then necessary to review the whole conduct of that government since the signing of the peace, which proved they did not sincerely wish to maintain it. His lordship then went over the various acts of aggression committed by France, as stated in his Majesty's declaration, and justified the conduct of ministers. The Duke of Cumberland seconded the motion.

Lord Mulgrave thought the oppressions exercised by France over other powers to aggran-

dize her empire, was a sufficient reason for us to refuse to surrender Malta, as by the treaty we were bound to surrender the island to the order, which was to be restored to its ancient privileges ; but of which, as well as its property, it had been stripped by France.

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Lord Melville was glad to find, that the importance of Malta, as a key to Egypt, was universally admitted, and that we had a right to secure its independence against the ambition of France. In the actual state of Europe, Great Britain and Russia were the only powers capable of giving security to Malta. The negotiation, as regarding Malta, he was rejoiced to find, was at an end, and that the treaty had, on this point, become a dead letter, by the act of France, who had made the execution of it impossible.

Lord King expressed his concern that we were again to be involved in war for the reasons set forth in his Majesty's declaration. He could not see what we were to expect from a new conflict with France ; we could make no impression on that country ; she had no colonies that could be affected by our attacks ; and at home she was invulnerable. He did not think Malta a sufficient ground for war, much less did he think it right to correct the errors of a treaty by a breach of treaty. Although as far as war was necessary, the house would sup-

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port his Majesty ; yet he did not like unnecessarily hurling defiance at France. He then moved an amendment to the address, that those expressions should be expunged which so warmly imputed to France the guilt of breaking the treaties.

After some observations from Lords Ellenborough and Grenville, the latter of whom thought it clear that the present war was just, necessary, and expedient, inasmuch as it was a resistance to a series of violence, aggression, and insult, that could not be endured without sinking the country into the lowest state of degradation. The house divided on Lord King's amendment. For it 10, against it 142 ; majority 132 for the original address.

On the same day an animated debate took place in the house of commons. Mr. Pitt recapitulated the aggressions on the part of France, and thought that ministers would have incurred much blame, had they surrendered Malta without sufficient security. He asserted that the annexation of Piedmont, the arrogant conduct of France in regard to the German indemnities, and, above all, the violence offered to Switzerland, were sufficient causes of war at any time, if we had had such continental co-operation as to afford any prospect of success. The various aggressions stated in his Majesty's declaration were all grounds suffi-

cient to prove the necessity and justice of the war. He concluded by calling upon ministers to prepare, without delay, such vigorous measures of finance and national defence, as to convince our enemies that they were neither able to diminish our spirit by threatened invasions, nor to exhaust our resources by a long protracted war.

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Mr. Grey moved an amendment similar to that of Lord King, which was ably supported by Mr. Whitbread.

Mr. Fox felt it to be his duty to the people of England, to endeavor to rescue them from a situation pregnant with danger and misery, whatever might be the success of the war. He then took a review of the whole correspondence, in which he thought there had been a great deal of shuffling on both sides, and blamed ministers for allowing an accumulation of insults without demanding satisfaction; and for finally going to war on a solid principle, for which it was impossible we could find any allies. After strongly recommending an alliance with Russia, if possible, Mr. Fox concluded by supporting the amended address.

When the house divided on the amendment, there appeared 67 for, and 398 against, it. The original address was then put and carried.

On the 27th of May Mr. Fox made his pro-

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mised motion relative to the mediation of the Emperor of Russia, in the general principles of which Mr. Pitt concurred, but hoped that it would not be persisted in, as there appeared no reason to doubt but that his Majesty's ministers would act in conformity with those general principles.

Lord Hawkesbury said, that the offer of Russia was made in a very loose and general way, and just at the time when Lord Whitworth was on the point of leaving Paris. Our ultimatum had been rejected, and the negotiations were then at an end. The British government was ready to accept of the mediation of Russia, both with respect to our own disputes with France, and to the general interests of the empire; but at the same time, until those disputes could be settled, ministers would not advise his Majesty to suspend, in any degree, his exertions for the continuance of the war.

Mr. Fox admitted this declaration to be a sufficient pledge of the conduct of government in this respect, and therefore consented to withdraw his motion.

Such was the issue of the solitary attempt of the "old Opposition" to direct the current of the public opinion, respecting the possibility of evading a rupture with France. What effect the proffered mediation of Russia might have

had in the present circumstances, of the principle on which it was tendered, and of the wisdom of its rejection, perhaps it was not difficult to ascertain. In a parliamentary view, the debate was worthy of remark, as it afforded the first instance of Mr. Pitt's coincidence in opinion with those who disapproved of ministerial measures; at least so far as related to the hostile intentions about to be adopted, and which sufficiently evinced that there existed no longer that union of sentiment, and harmony of opinion, which prevailed during the early period of Mr. Addington's administration: and it is to be also observed, that though Mr. Grenville, Mr. Windham, and the strength of those who decried the definitive treaty, and predicted its inevitable consequences, were in the house, they took no part whatever upon this motion of Mr. Fox's; which, it is probable, they considered in itself inefficient and nugatory; or which, if adopted, would lead to that sluggish and temporizing system ministers seemed for a moment to have shaken off; a conduct in which it was too much the interest of the empire not to wish them to persevere; and, consequently, not the object of the "new Opposition," to retard or embarrass.

The country having been, by his Majesty's declaration, by the rejection of the Russian interference, and the irretrievable errors of admi-

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nistration, fully committed in warfare with France and her dependencies, Holland, and the Italian republic, it was not to be supposed that a portion of the legislature, whose exposition of the weakness and misconduct of ministers had been as unceasing as their predictions of their calamitous consequences were prophetic, could look on with acquiescence and complacency at the conduct of public affairs being committed to the identical hands of those, who had first signed and sealed the dishonor of their country, and still aspired to the task of extricating her from the difficulties and dangers incurred solely by their want of experience, political science, and steadiness of principle. Accordingly, in both chambers of parliament, resolutions, of the strongest and most decided tendency towards the inculpation of ministers, were brought forward by personages of the most distinguished integrity, rank in society, and temperance in political discussion. Whether the solemn acquittal they obtained was a sufficient testimony to, and proof of, their impeccability, we shall not say; but, even in that moment of triumph and exultation, it was apparent to the acute and wary observer of political attachments and combinations, that at the moment when the conduct of ministers seemed to have received the most ample countenance and support from the legislation, their credit and character, both within and without

the walls of parliament, were shaken to the centre; and that which appeared to be the flush of health and vigor, was but the hectic glow, portending the rapid progress of vital dissolution.

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It had been already rumoured, that Mr. Addington, aware of the critical situation of the country at large, and of his own as minister, had endeavoured to attach to himself, in this moment of pressure, the abilities of his predecessor in office as the securest prop, in his imagination, to the vacillating reputation of the existing government. But this negotiation entirely failed; and the support of Mr. Pitt, lukewarm as it had hitherto been, was no longer thought of as the safeguard of the existing administration; on the contrary, the decided opposition of him and his adherents was fully to be expected.

In this state stood the public mind, when the acceptation, by Mr. Tierney, of the high and lucrative office of treasurer of the navy, with the rank of privy counsellor, was announced in the Gazette, shortly after this abortive attempt to strengthen the hands of government. Conscious of the reception any overtures to detach members of the "new Opposition" from those principles, which had led them repeatedly to express their decided contempt for the character and conduct of administration would meet; and,

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alarmed at the prospect of supporting by numbers alone those unpalatable, though, perhaps, requisite measures, inevitable hostilities had rendered necessary, in an evil hour, the Minister turned towards the "old Opposition," as the only quarter from whence he could draw that assistance his irresolution and feebleness, in the conduct of public affairs, had rendered indispensable. To the astonishment of all, and grief of those few who still think highly of Mr. Addington's administration, he selected from its ranks that person as his colleague, with whom, from every motive that might be supposed to operate on his mind or feelings, a connection was utterly impolitic, if not impracticable.

Such was the situation of party when the discussions on Earl Fitzwilliam's motion for an inquiry into the conduct of ministers, in the house of lords, and that of Colonel Patten on the same subject in the house of commons, gave a decided tone to the hitherto unsettled and wavering politics of the late minister and his friends. It is true that Mr. Pitt and his adherents chose a middle course, and refused to join the censure so loudly demanded by the opposition, on the conduct of administration. It was evident that it was not from motives of personal consideration for Mr. Addington, that the late minister thought proper to adopt this line

of conduct. His having moved the previous question was, in him, equivalent to the severest expression of disapprobation; and he was, at the same time, anxious to preserve that consistency, which he otherwise would have forfeited, had he voted for resolutions, which, in strong and unqualified terms, discredited the treaty of Amiens; a measure which had hitherto met his strenuous support. Thus were three parties, confessedly including a vast proportion of the property, the abilities, and the patriotism of the nation, who required but one common principle of action, and a mutual understanding, to bear down every thing which could oppose them, and establish such a government, as the most enlightened statesman and strenuous politician could hardly, in any contingency, dare to hope for.

What was here wanting proved the safety of administration. In this disunion, Mr. Addington triumphed; and although the credit of his administration, and its future existence, were points on which the minds of all were very generally decided, yet the actual period of its determination was completely suspended, and he proceeded, in confidence and security, to provide for the exigencies of the war, on systems of defence and finance, sufficiently novel, at least, to cause the strongest difference of opinion

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in, and a very unusual protraction of, the session of parliament.

On the 6th of June the secretary at war, Mr. Yorke, brought forward, in the house of commons, some of the estimates of the army for the year; and stated, that but a small augmentation was intended to be made in the regular forces. After some observations from Mr. Windham, Mr. Pitt, and the chancellor of the exchequer, the resolutions were agreed to.

On the 13th, the minister brought forward the budget. There were certain war-taxes he should propose that would expire six months after the definitive treaty: he proposed to raise, by an increase on the customs, duties on sugar, exports, cotton, and tonnage, above two millions annually; and by new duties on the excise of tea, wine, spirits, and malt, he calculated at six millions more. He then presented a plan of a tax upon property and income, the net produce of which he estimated at £4,700,000, making in the whole £12,700,000 annually for war-taxes, to expire six months after a peace. Congratulating the country on the terms of the loan, and the steady operation of the sinking fund, he declared the intention of government to carry on the present war with considerable exertions, but with all possible economy. He concluded by expressing his hope, that the exertions of the present war

would secure the complete salvation of the country.

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Much discussion took place in both houses, relative to the bill for the augmentation of the means of defence. The force which government purposed to raise, as an army of reserve, was 50,000 men, of which 34,000 were for England, 6000 for Scotland, and 10,000 for Ireland. Those men, though raised by ballot, as were the militia, would differ from them in this, that their services, during the war, were to extend to Great Britain, Ireland, and the islands in the Channel. They were to be commanded by officers from the line from the half-pay list, and those who had already served either in the East Indies or in fencible regiments. The ballot was to fall on men between eighteen and forty-five. As the exigency of some mode of national defence was not disputed by any, neither was there any decided opposition to the present measure; and the first measure of government which seemed, in the slightest degree, calculated to retrieve the errors into which it had fallen, was carried in either house without a division.

Having thus proceeded one step in the preparation for the defence of the country, by a species of armament, for which, as if foreign from the feelings and inclinations of Britons, the founders had been obliged to seek from the continent a name; the next measure to which

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ministers had recourse was that pecuniary aid from the country, which a war establishment imperiously demanded. Accordingly, on the 5th of July, in the house of commons, the chancellor of the exchequer moved, that the house should go into a committee on the property tax bill.

The minister observed, that he never considered the old income tax as any thing but a war-tax; there was this difference, however, between that tax and the present, that the proportion now demanded was not so large, and that in incomes from land or interest of money, no particular disclosure was required. As there had already been considerable sums raised upon consumption, it was but fair that property itself should be taxed, or otherwise it would be impossible to carry into execution the resolution of the house for raising within the year a considerable part of the expenses of the year. He wished to have the bill reprinted and re-committed for future consideration. After some conversation, the bill was ordered to be re-committed.

There was no other discussion of much consequence, in either house, until the 13th, when an animated debate arose on the question for the further consideration of the property tax bill. Mr. Pitt defended the old bill, during the continuance of which, he asserted, the credit of

the country had increased in an unexampled manner. He objected, however, to several of the details of the bill. The tax upon funded property appeared to him altogether a breach of public faith, and he considered that the bill, in other instances, favoured capital, and oppressed poverty. The chancellor of the exchequer defended the justice of taxing incomes from funded property, and said, that equality of taxation was a circumstance not to be brought about by human wisdom. On Mr. Elliston censuring Mr. Pitt for attacking ministers, the latter expressed his astonishment at the accusation, as ministers had been in possession of his sentiments for three weeks, and concluded by moving an instruction to the committee, "that the like exemptions and abatements be extended to those who have income arising from money in the funds, or land, or money at interest, as are or may be allowed to other persons." A long conversation followed, in which ministers did not conceal their surprize at Mr. Pitt's unexpected motion. The house divided, and the numbers were for the motion 50, and 150 against it.

However, the next day, Mr. Addington conceded to the suggestions of Mr. Pitt, as he thought the exemption demanded was expected by a great number of people; and, as he was convinced of the necessity of reconciling even the most necessary measures to the feelings of

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the public, he should, to avoid difference of opinion, when unanimity was wanting, give up the point. Mr. Pitt, in consequence, made no further opposition to the remaining parts of the bill, which, although they occupied a great deal of time, produced no debate of importance.

The rest of the session was principally taken up with considering the state of the country as to its means of defence. On the 18th July, the secretary at war moved to bring in a bill for amending the defence bill, and for enabling his Majesty to raise a levy *en masse*, in case of invasion. This, he contended, was an ancient and indisputable prerogative of the crown, and the object of the bill was only to facilitate the exercise of it in case of need. By the laws of the Anglo-Saxons, this prerogative was claimed; by the assize of Henry the Second, and statute of Henry the Third, it was legally recognized; and there could be no doubt but that every liege subject was bound, at the call of his sovereign, to take up arms in case of an invasion. After stating observations of a similar nature, he concluded by moving for leave to bring in that bill generally called the Levy *en masse* Bill. Some slight opposition was given, but it passed through both houses.

A message from the King was delivered to both chambers of parliament, on the 28th of

July, stating, “ that a rebellious spirit had manifested itself in Ireland, which had been marked by circumstances of particular atrocity in Dublin, and recommending to the wisdom of parliament to adopt the necessary measures for its suppression.” The address was voted unanimously in the house of lords, who adjourned to eight o’clock, for the purpose of passing the bills which were expected to be sent from the commons upon that subject. The chancellor of the exchequer brought up the bills, one of which was for trying rebels in Ireland by martial law, and the other for suspending the Habeas Corpus bill in that country. These bills were read through all their steps, and passed the same day. In the house of commons, they occasioned, however, some very animated discussions, and severe reflections on the conduct of ministers, whose system consisted in preventing the people from seeing the real state of affairs, and by constantly withholding information, and then demanding a hasty vote from passion, and not from deliberation.

On the 29th, Lord Castlereagh opened the India budget. After stating the revenue and expenditure of the company for the year 1802, which he compared with those of the preceding year, he remarked, with much triumph, the augmenting prosperity of our East India possessions. He concluded by moving a string of

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resolutions conformable to his statements, which were agreed to.

On the 10th, Mr. Sheridan brought forward his motion of thanks to the volunteers of the united kingdom; which he followed by another, for a return of the names and descriptions of all the volunteer corps, that they might be entered on the journals of the house. These propositions were agreed to without a dissenting voice.

Colonel Hutchinson's motion relative to the affairs of Ireland was the last subject of importance which occupied the attention of parliament this session. From the time that the union had taken place, nothing had been done to improve the system of government in that country, and render its inhabitants more happy and contented. No enlightened statesman could suppose, that merely passing an act of union, was sufficient to unite the people of both countries. He begged that should any commotion arise in Ireland during the recess to meet it with vigor, but not to suffer such cruelties to be inflicted as were done in the last rebellion. He concluded by moving an address to his Majesty, for information regarding the late outrage in Ireland, and the present state of that country. The motion was, however, negatived without a division.

The next day, August the 12th, the parlia-

ment was prorogued by a speech from the throne. Thus terminated a session which had been protracted to the very unusual period of nine months, and which, for the importance of the subjects brought before it, the extent and variety of the pressure of public business, and the vigor and ability displayed in debate, yielded to none which have appeared in the British annals.

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To the surprize, and perhaps disappointment, of the country, the minister was left, at the prorogation, upheld by nearly the same numbers, in both houses, engaged in the support of his administration, which he could have counted upon at the meeting of parliament. A want of unanimity prevailed among the leaders of the hostile ranks; and although, at this period, every circumstance seemed favorable to coalescence of talent and character, as must, so united, have borne down every opposition, the season for political activity closed, without any visible decrease of the influence of the existing government, or of established co-operation and harmony amongst those parties, who separately professed themselves adverse to its measures.

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*Continuation of the History of Parliament in the Reign of
George the Third.*

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THE pressure of public affairs towards the end of the year 1803, arising from the menacing attitude of France, and the necessity there existed of speedily providing the supplies of men and money, to meet the exigencies of a moment the most awful which the country had ever experienced, induced the minister, after a short recess of little more than three months, to call the parliament together on the 22nd of November. His Majesty opened the session with a speech from the throne, in which, after acknowledging the wisdom of parliament in providing the necessary measures for the defence of the country, and paying a high compliment to the spirit manifested by the volunteers, he expressed his determination to share the dangers and exertions of his people in the defence of the country in the event of invasion, &c. &c. The address, as usual, an echo of the speech, was agreed to in both houses.

On the 30th of November, Sir Philip Stevens moved, in a committee of supply, that 100,000 seamen be voted for the year 1804, which was

granted. Leave was also given to bring in a bill for continuing the restriction on the Bank of England from the issue of specie.

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The bill for suspending the Habeas Corpus act in Ireland, and the re-enactment of the martial law bill, occupied, at this period, the attention of the legislature, and gave rise to much animated discussion. The suspension of the one was but an act of precaution, but the other gave extraordinary powers of punishment. The character of those who proceed, under the suspension of the act of Habeas Corpus, is of importance; and ministers, under all such procedures, in consequence of this act, are open to future censure, and the most direct responsibility. But the martial law bill is of a very different nature. The persons who are to put it into execution, are under no such responsibility; they might be supposed to act from prejudice, or without adequate knowledge. As to the necessity for such measures relative to Ireland, the only official information of the state of that country, was in his Majesty's speech; and in that document parliament was assured, that since the 23rd of July there had been no appearance of insurrection. On the contrary, it was declared that Ireland enjoyed an undisturbed tranquillity.

The language, at this period, used by ministers, was most contradictory; sometimes the

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insurrection was represented as a contemptible riot, and, at other times, as a most formidable conspiracy. It was the duty of the united parliament to consider, in the most serious point of view, the situation of that country, and devise such measures as enlightened policy should dictate for securing its permanent tranquillity. A good government should shew itself no less active in putting down rebellion, than in removing the causes of discontent; and it was impossible for any man, wishing well to Ireland, to be satisfied with the manner in which its affairs were then administered.

On the 9th of December, the secretary at war brought forward the army estimates for the current year. The number of men to be voted, he stated to be 278,149, exclusive of 22,897 for India. The total expense of such an army he calculated at £10,904,755. And for the expenses attending the volunteer corps at £730,000.

The regular army had been nearly doubled since the last session. The militia amounted to 84,000; 14,000 of which were raised in Scotland. The volunteers consisted of 380,000 men, and as to the system of the army of reserve, it was similar to that which was followed abroad, namely, of having battalions of *depôt*. The resolutions proposed by Mr. Secretary Yorke were agreed to, as was a bill for regu-

lating and explaining the exemptions to be given to volunteers from serving in the militia or army of reserve.

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This was the last public business transacted in parliament in 1803 ; both houses, soon after, adjourned till the 1st of February in the following year.

The immense pecuniary resources of the empire, and the liberality with which they were contributed for every purpose of national defence, gave the public a right to look for armies and fleets sufficiently numerous, not only to place the country in a state of security, but to give the enemy general and effectual annoyance, which might induce him to curb his restless ambition, and restore tranquillity to Europe. In the application of those great and extensive means, Mr. Addington's ministry were miserably deficient. To restore the reduced regular force, disposable for every purpose of offensive and defensive measures, no direct means were taken ; while to raise an armed body, limited both as to locality and duration of service, the legislature were wearied, for the greater part of two sessions of parliament, in discussing and enacting bills for its encouragement, to the extinction of any means of recruiting the regular army. To the individual who entered into the former service, the premium, for his life engagement, to serve in

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every clime, was small and limited. In the latter, as a substitute, he might demand, and obtain, any sum his principal was disposed to give. Even the volunteer system was rendered hostile to the increase of the army by the doctrine of exemptions.

The advocates of administration in vain contended, that their various projects induced a military spirit throughout the country, and that thence the ranks of the regiments of the line would eventually be filled. To these assertions were opposed facts of a nature that were not to be disputed. And the government was necessitated, for nearly two years, to keep up, by the various modes abundantly within its power, the rumours of immediate invasion, which, while they prevented too narrow a scrutiny into their measures, afforded some colour for the local force alone created, which, making allowances for the rawness of the levy and its want of discipline, would certainly be applicable to a war simply defensive. Those modes of national defence were feeble, complicated, and fortuitous, and were, finally, among the principal causes of the declension and overthrow of Mr. Addington's administration.

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The serious indisposition of the sovereign marked the commencement of the year 1804, and considerably agitated the public mind. This anxiety was increased, by reflecting that

the reins of government were in the hands of those, to whom few looked with confidence, for holding them with skill and vigor, and none, for a continuance of their situation, which was obviously drawing to a point; and, when, in fine, the affairs of the country, in every possible event, required the utmost exertion and ability of its rulers to ward off increasing evils and impending destruction. No direct communication of this event had been made to parliament, but Mr. Addington asserted, from the authority of the physicians, “that there was no *necessary suspension* of such royal functions, as might be necessary for his Majesty to discharge at the present moment,” expressions which, by the mildest implication, shewing the incompetency of his Majesty to fulfil the greatest obligations into which he had entered with his people, and that from the highest authority among his ministers.

The first business of importance which occupied the attention of parliament after the Christmas recess, was the bill introduced by Mr. Yorke, for the consolidation and explanation of the existing laws relative to the volunteers. “The system,” he said, “had its origin under Lord Shelburne’s administration, was revived in 1794, and appeared still more necessary now than at any former period.

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From the moment this new system was considered by the legislature necessary to meet the circumstances of the times, the exemptions were considered as absolutely necessary to its existence. The number of volunteers in the last war amounted to 150,000; and a very short time after the act passed for training and arraying his Majesty's subjects, the voluntary offers for service amounted to nearly 400,000, and consequently the compulsory clauses of that act were suspended. If a doubt had been entertained of the powers of the volunteers to resign, that doubt would be done away by the present bill." He also stated, "that in the first formation of the different corps, they were usually allowed to elect their own officers, but the exercise of this power, in filling up vacancies which might afterwards occur, would be highly dangerous, and was not recognized by any act. It should now be clearly understood the volunteers had no such power." After pointing out a variety of alterations which he proposed in the manner of granting the exemptions, he submitted to the house, "whether it were not better, under the present circumstances, to continue the volunteer system, even with all its necessary defects, than abandon it, in order to find out something else that might sound better in theory, but might turn out much worse in practice."

This bill, during its progress through both houses, met with vigorous opposition ; various amendments were proposed and negatived ; but it was at length, on the 2nd of April, passed into a law.

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The long expected motion for investigating the causes of the late Irish insurrection came on in the house of commons on the 7th of March, when Sir John Wrottesley, who brought it forward, stated, that he considered it as a subject of importance, both as respecting the honor of the Irish government and the security and happiness of that people. The interests of Ireland were formerly intrusted to its own legislation ; but, since the union, it became the duty of every member of the Imperial parliament to pay attention to them. Much good must result from the discussion, and he concluded by moving for a committee to be appointed for the purpose of inquiry into the conduct of the government of Ireland. On the house dividing on the question, there were in its favor 82, and 178 against it.

The union which took effect in 1801, tended essentially to impair the consequence, and manifestly exasperate the feelings of the Irish nation ; and particularly of that description of them who cherished protestantism as a political designation, and a claim to ascendancy. It considered itself to have been overreached, or,

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in the eagerness of party spirit, to have been self-betrayed to its ruin. Many relinquished that principle altogether, and the fervor, with which it had been pursued, abated very considerably since Lord Hardwicke assumed the reins of its government. The country began to feel the effects of his administration, in the return and diffusion of harmony; *what seldom has occurred*, the government of Ireland was greeted with the blessings of the people. It would have been, perhaps, an act of the most enlightened policy, had the English government, continued the noble lord, in the high station he filled with so much credit, or at least adopted the wisdom of his administration, or availed themselves of its errors as a future guidance.

About this period a mutual understanding was perceptible between that party of which Mr. Pitt was the leader, and those who looked to Lord Grenville and Mr. Fox as their chiefs. Whether this accordance was directed solely by the wish to subvert the present administration, or by a sincere desire to co-operate in the preservation of the country, were points upon which time alone could decide. It gave, however, to the country, the flattering hope of an administration, which should unite in it the talent, the wisdom, and the character, of the empire.

The first fruits of this union of sentiments were manifested in the public conduct of Mr. Pitt, who, on the 15th of March, moved for an inquiry into the administration of the navy. He required an account of the number of ships of the line, and armed vessels which were in commission on the 31st December, 1793, on the 30th September, 1801, and on the 31st December, 1803. The object he had in view was to institute a comparison between our naval strength at these different periods, and thought the result would be a conviction, that the means of repelling the danger which threatened the country were more inadequate than at any former period. The present admiralty seemed to consider that the sort of vessels calculated to meet the invasion were those of small burthen, and adapted for shoal water, and yet, in the course of twelve months, they had only built twenty-three gun-boats. After some observations on the nature of his respective motions, he moved his first resolution, in which he was supported by Mr. Fox, and opposed by Mr. Sheridan; in answer to whom Mr. Pitt, in his reply, excited much mirth, by comparing that gentleman to a wandering light, a meteor, that was sometimes seen on one side of the house, and sometimes on the other, which had then concentrated his rays against him; but in whose blazing face he could look

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without fear or terror. The question was put, when there appeared for the motion 130, and against it 201.

The parliament having adjourned from the 28th of March, for the Easter recess, re-assembled on the 5th of April. On the 10th, a motion of the Earl of Suffolk, "that a committee be appointed to provide for the defence of the country, and to inquire into the preparations made to meet the menaced danger," was negatived in the house of lords without a division.

A message from his Majesty having announced, prior to the recess, that the several regiments of Irish militia had made a voluntary tender of their services, to be employed in Great Britain during the war, the house of commons resolved itself into a committee on the "Irish militia bill." This measure was objected to as inconsistent with good faith or discipline to encourage such offers, and as a measure that would reduce the defensive strength of Ireland, increasing at the same time the number of those absentees who already drain so much money from the country. On the third reading of the bill Mr. Fox observed, that local attachments ought not to supersede general principles, yet, on the other hand, general principles should not destroy local attachments. The feelings of mankind were regu-

lated more by habits than by acts of parliament, and it would be in vain to expect that Irishmen should not feel a peculiar attachment to that part of the United Kingdom. He suggested a clause, to prevent the catholic soldiers who should come into this country in consequence of the bill, from being compelled to attend at protestant places of worship, which was rejected, and the bill, on the third reading, carried by a majority of 58.

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The "Irish militia augmentation bill" was also debated, and carried by a majority of barely 21, there being 128 for it, and 107 against it. Upon this question, Mr. Pitt and most of his personal friends, voted with the opposition, and the very small majority in favor of ministers, inclined the public to suppose that Mr. Addington's administration was drawing fast to a close.

On the 23rd of April, Mr. Fox, pursuant to notice, made his promised motion, with respect to the defence of the country. After making some general observations, he said that it was necessary to adopt a system of defence which would be adequate to repel invasion, at whatever period it might take place. His ideas of the best military defence of the country depended principally on the regular army, and on what might be obtained from an armed peasantry. Upon the actual state of the regular

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army, the house had no sufficient documents. It was absurd to say it had not been injured by the competition for higher bounties given to persons for recruiting for a limited service. He considered an armed peasantry as the best permanent security to the country, and he feared that even the enormous expense attending the volunteer system, would, in a short time, diminish its numbers. He thought the preamble of the general defence act, asserted a prerogative in the crown, which it would be monstrous to suppose it really did possess: and yet, it was in consequence of this asserted prerogative, that many had been terrified into becoming volunteers. When he proposed an armed peasantry, it was not in substitution for the volunteer system, but as an additional force. He concluded by moving "that it should be referred to a committee of the whole house, to revise the acts passed for the defence of the country, and to consider what further measures were necessary."

Mr. Pitt strongly supported the motion; he thought ministers deserved much censure for having prepared so small a peace establishment, and in having made no preparations for the renewal of a war, which, as they since published in a manifesto, they had every reason to suppose was unavoidable. They should have availed themselves of the period of peace to

ballot for the militia, and to make such other preparations as would have enabled them to recommence hostilities with effect. Mr. Windham also supported the motion, which was opposed by the chancellor of the exchequer, Mr. Yorke, Mr. Tierney, and the attorney general. The house then divided; for the motion 204, against it 256.

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On the 25th of April, Mr. Secretary Yorke moved, that the speaker should leave the chair, for the purpose of the house going into a committee, on the army of reserve suspension bill. Mr. Pitt opposed the motion; he considered the suspending the army of reserve bill a most unwise measure, especially at a time when government proposed to make a considerable augmentation to the Irish militia. He was of opinion the army of reserve had already done much good in recruiting the regular army: and he was convinced much more advantage might be derived from it. Mr. Pitt then stated, at great length, the outlines of a plan for diminishing the militia, and increasing the army of reserve, in such a manner as he thought would conduce much to the augmentation of the regular and disposable force.

The inconsistency of ministers in coming forward to suspend the operation of their own bill, was a proof of their incapacity. In some instances they seemed to wish to accommodate them-

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selves to the opinion of all parties, and sometimes to take advice. But in this business of the army of reserve, they appeared undetermined how to proceed. If the army of reserve had completely failed, as ministers had confessed, it was by no means that the country was exhausted of men. On the contrary, the measure was so tyrannical and oppressive, that it everywhere created disgust, and no officer of respectability could be found to put it into execution. It was similar to those penal laws, which, when too severe, fail in their effect, because it becomes difficult to enforce them by reason of that severity.

On this question there was a majority on the side of ministry of 37 only, and was the last victory, if it deserves the name, of Mr. Addington's administration, in the house of commons. Feeling that they could not combat, with any prospect of success, such great and increasing opposition, they wisely resolved on resignation. It was then understood on all sides, that such being the intention of the ministers, on that account, no questions should be discussed, which were likely to produce any great difference of opinion.

In the mean time the Marquis of Stafford gave notice of a motion similar to that of Mr. Fox in the house of commons; and it was the general belief, that, upon that question, ministers

would have been left in a minority, in the upper house of parliament, if they had ventured to meet it.

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On the 30th of April, Mr. Addington, as chancellor of the exchequer, opened the budget for the year. He began by expatiating on the advantages which had already been found to result from the system of raising within the year, the greater part of the money wanted for its service, so as to prevent an increase of the national debt. He then entered into a detailed statement, to shew, that the war taxes, which he had only calculated last year at nine millions, would probably produce, in future, no less than twelve millions and a half; and that they had already exceeded the amount at which he had calculated them. He then stated, that the permanent taxes had been as productive as in former years. The supplies necessary for the year amounted, in the whole, to £36,283,348, to be defrayed by Great Britain alone. Among the ways and means, he proposed to add a million to the war taxes, by again increasing the duties on wine, and by laying a fresh duty on all imports, except tea, wine, and cotton. The produce of the consolidated fund he reckoned at five millions, instead of six millions and a half, in addition to which he proposed a loan of ten millions, and a vote of credit of two millions and a half. In order to meet the interest of the

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loan, he proposed an alteration in the stamp duties, which would give an addition of 800,000*l.* annually. After dwelling on the advantages of the system of finance he had introduced, he concluded by proposing resolutions, which were agreed to in the committee.

Nothing of importance occurred until the 12th of May, when it was publicly announced, that a change had taken place in the administration of government. Mr. Pitt succeeded Mr. Addington, as first lord of the treasury and chancellor of the exchequer. Lord Melville, (late Mr. Dundas) became first lord of the admiralty, in the room of Lord St. Vincent, and Lord Harrowby superseded Lord Hawkesbury as secretary of state for foreign affairs. Mr. William Dundas became secretary at war, and Mr. Canning treasurer of the navy. Of Mr. Addington's administration the following cabinet ministers retained their situations. The Duke of Portland, president of the council—Lord Eldon, lord chancellor—Earl Westmoreland, lord privy-seal—Earl of Chatham, master general of the ordnance—and Lord Castlereagh president of the board of controul.

The first business of any importance, which occurred after the appointment of the new administration, was the passing of the volunteer consolidation bill, which had so much occupied the attention of parliament, during the greater

part of the session. The principal discussions were upon some amendments made in the lords, which the house of commons considered as trenching on their privileges. And it seemed to be the general prevailing opinion, that, although no great advantages were to be expected from the bill, yet, as it contained much unexceptionable matter, it was deemed better to pass it as it was, than to recommence, at so late a period, the revision of so many disputed and complicated details.

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Mr. Wilberforce, in pursuance of a notice he had formerly given, on the 30th of May, submitted, in the house of commons, a motion relative to the slave trade. After a long and serious investigation, that house, in the session of 1792, had resolved to abolish the slave trade, from the 1st of the following May, and that it should totally cease in four years from that period. This resolve had not been followed up, and the trade, with a few modifications, then enacted, had continued ever since. Thousands, therefore, of our fellow-men were still suffering from this infamous and pernicious system. Since the question had been moved by Mr. Wilberforce in 1792, there had been no fewer than 300,000 Africans imported into our West India colonies, 140,000 of whom were for Jamaica alone. The motion of Mr. Wilberforce “for a committee to consider the propriety of

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introducing a bill for the abolition of the slave trade, after a time to be limited," was agreed to, on its third reading, by a majority of 79 to 20.

On the fifth of June the chancellor of the exchequer, Mr. Pitt, brought forward his plan for the military defence of the country. His first object was to remove the difficulties which stood in the way of recruiting for the regular army, by destroying the competition which existed between those who recruit for limited, and those who recruit for unlimited service. Besides removing those obstacles, he proposed that an additional force should be created, for the permanent increase of our regular army, in order to render the troops of the line more disposable. He meant to reduce the militia to its ancient establishment, and that the remainder should be transferred to the additional force. By this means a foundation, he said, would be laid for a permanent establishment, which would yield a considerable addition annually to the regular army. He did not dispute the policy of the army of reserve as a temporary measure, but the disadvantages of that act were, that its penalties induced such high bounties to be given for substitutes, as materially interfered with the regular army. He, therefore, wished to make the ballot less burthensome on individuals; and both to encourage and oblige the

parishes to find the number of men assigned as their proportion. If the parishes failed, a certain fine was to be imposed on them, which was to go into the general recruiting fund. This force, Mr. Pitt continued, he wished to be raised for five years, and not to be liable to be called out for foreign service, but to serve both as an auxiliary force, to assist the regular army, and to form a stock from which the army could be recruited, at the same time to be joined to the regular army, in the way of second battalions: conceiving that the intercourse arising from such a connection must induce a considerable number of them to volunteer into the line. After dwelling at great length upon the general principle of the plan he proposed, and on its different details, he concluded by moving for leave to bring in a bill, for the creation of "an additional force" for the defence of the country.

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Such were the outlines of Mr. Pitt's plan for national defence. It was a change from a system of rigor, to a system of inefficiency. Objections were justly made to the reduction of the militia, as the constitutional mode of defence, and so large a force, as that proposed to be raised, and which was not to be under the control of parliament, became an object of alarm and jealousy. There was in the present measure an injudicious mixture of voluntary and compulsory service. Under arbitrary go-

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vernments levies of the latter nature are the simplest and most efficacious mode of recruiting; but in a free country like this, it is not practicable without many restrictions and modifications. In the reign of James the Second, a measure, similar in a great degree, was proposed by him to his parliament, for increasing the standing army. Our ancestors, however, disclaimed the justice of the king's proposition, and refused to acquiesce.

Considerable debates took place on this occasion in both houses of parliament: Mr. Pitt's party strenuously supported the bill, while it met with decided opposition from Mr. Addington, Mr. Windham, and Mr. Fox, in the house of commons; and from Lords Spencer and Grenville in the house of lords. It was carried, however, by considerable majorities, and was the last question during the session in which the strength of government and opposition was tried.

Lord Castlereagh, on the 10th of July, presented his statement of Indian finance to the house of commons. By this it appeared that the debts of the company had increased, in the last year, £1,229,821, and that their assets amounted to £1,959,396, leaving a net improvement of £729,575 for the year. He stated that the prospect of the company being able to pay the annual £500,000 to government, was in the

presumption of the continuance of peace, and of the general situation of affairs being very different from what they were at present.

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It is a matter of great surprize, that out of a territorial revenue of thirteen millions, and a flourishing trade at home, that there was not surplus sufficient to pay a sum so comparatively trifling. Every year the house was amused with splendid promises of the extinction of the Indian debt, which had now become nineteen millions, and every year received farther accumulation. Our Indian prosperity is always in hope, and in future prospects; and the estimates are always made higher than the event justifies. This has been the constant practice for many years, and appears to be a system determined on by those who produce Indian accounts.

Independently of the subjects of great general importance which gave rise to the debates already touched upon, the Aylesbury and Liskeard elections produced earnest and animated discussions. Those in the latter case were confined to the house of commons, but in that of Aylesbury, there was a bill of partial disfranchisement which produced warm debates in both houses of parliament. The object of the committee on the petition was not to prosecute or disqualify those who had corruptly voted for Mr. Bent, but to extend the right of voting to other persons in the neighbouring

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hundreds. Every step of the bill produced fresh discussions, but it at length passed through both houses.

The remaining part of the session was principally employed on the coin laws ; the charge against the lord advocate of Scotland for oppression and illegal conduct towards one Morison, a farmer in Bamffshire, and the proceedings on the case of Justice Fox. On the 31st of July the session closed.

The change which had taken place in the administration, during the latter period of the session, had considerably engaged the attention of the public, and its result had been generally viewed with astonishment and concern. The strength of the government on the one hand, and on the other that of three parties united for the purpose of compelling a change of administration, were found, by repeated divisions, to be nearly balanced ; but the weight of public opinion left no doubt which scale must ultimately preponderate. When the resignation of Mr. Addington was announced, there universally prevailed a greater degree of unanimity, as well of wish as of opinion, as to the steps to be next taken, than perhaps was ever witnessed on a similar occasion. The country at large rejoiced to see those great political leaders, by whose divisions the public mind had been so long distracted, now united in the same course of con-

duct, and acting in parliament with that commanding effect, which was naturally expected to result from such a concurrence. Hence, no doubt was entertained, but such a government would be formed as would embrace all that were most eminent in talent and consideration. And the necessity of such co-operation was strenuously urged by Mr. Pitt, both by himself and his friends, without any exclusion whatever of those who could best contribute to the weight and efficiency of an administration, which was imperiously called for, by the necessities of the country.

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Under these circumstances, the public experienced the severest disappointment, when they found, that of the three parties to whose union they had looked with so confident a hope, one only, that attached to Mr. Pitt, composed the new administration, which was but little strengthened by the addition of two or three individuals, belonging to the government he had overthrown, and in which they had held situations as had particularly exposed them to the bitterness of his sarcasm and reproachful scorn.

Those who wished to justify this step, stated that objections had prevailed in the mind of the Sovereign, against the admission of Mr. Fox to stations, such as those which Mr. Pitt

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had recommended to be offered to him. On the other hand it was self-evident that the "new opposition" had come to a determination, to withhold those services which their monarch and their country were entitled to demand from them. The public opinion appeared by no means to coincide with those who sought to apologize for the contracted, and confessedly inadequate scale, on which a government was now formed, destined to replace that which the new ministers themselves had opposed in parliament, on no other ground than that of its alleged insufficiency to meet the danger of its crisis. All considerate men lamented to see the sacred character and person of the Sovereign brought forward on all occasions, and mixed in questions of political discussion; nor could they avoid condemning the principle of resorting to his name, as an apology for measures which, by that very use of it, were confessed to be objectionable. It was sufficiently obvious, that if this practice were once admitted, no minister could be made responsible for any part of his public conduct; nor could the dignity of the crown itself be maintained in that situation of sacred and inviolable reverence, in which the constitution has placed it, when it is said the King himself can do no wrong: but that in every exercise of his consti-

tutional authority, those servants who execute his commands are considered as advising, and are responsible for them to the country.

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This principle is most particularly applicable to those acts of sovereign authority, which are of a harsh or ungracious nature. The personal proscription of any individual, much more that of so great and eminent a statesman as Mr. Fox, when his services were thought necessary by ministers themselves, by the parliament, and by the people, was felt to be new to our constitution, both in practice and in principle. And it was remembered, that in the instances of all the greatest statesmen whom the country had seen, their sovereigns had dismissed all recollection of the opposition made by such persons to the men and manners of preceding administrations. Such had been the practice since the Revolution; a practice to which the nation owed whatever advantages it derived from the services of Sir Robert Walpole, Lord Chatham, and even of Mr. Pitt himself: and the recollection of these circumstances naturally led the public to ascribe their present disappointment to other causes than those held out by the supporters of the new administration.

As it was on the subject of the mal-administration of the navy, that Mr. Pitt chose to put forth all his strength against Mr. Addington's government, it was a matter of the utmost mo-

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ment to place at the head of the admiralty a successor to Lord St. Vincent, who should at once be able and popular, and possess sufficient talents to restore our naval situation to the prosperous state in which it had been left by Lord Spencer. The appointment of Lord Melville, as first lord commissioner, appeared, therefore, strange and unaccountable; as it was well known, although as a statesman he had filled almost every high office under the various administrations of this country for the last twenty years, with the exception of that to which he was now called, he was utterly unqualified for the proposed situation, by his total ignorance of naval affairs. Whether this nomination arose from want of some other person of sufficient abilities, in the narrow circle of Mr. Pitt's political adherents, to occupy so important a trust, or that his lordship's own ambition prompted him to accept it, certain it is, that such nomination was neither founded in judgment, nor calculated to revive the drooping laurels of the favorite service of the country. An intimate acquaintance with the naval service is essential to a first lord, who shall have to call forth all its energies, and direct them to their full effect.

CHAPTER XXV.

*Continuation of the History of Parliament in the Reign of
George the Third.*

PARLIAMENT assembled on the 15th of January, 1805. In the speech with which his Majesty opened the session, he dwelt on the rupture with Spain, which he had used every endeavour to prevent; but, in consequence of the refusal of satisfactory explanation, had ordered his minister to quit the court of Madrid. From the papers he had ordered to be laid before his parliament, he trusted, they would be convinced his forbearance had been carried to the utmost justifiable extent. He also mentioned the pacific overtures he had received from France, but did not think it right to enter into particular explanation, without previously communicating with those powers on the continent, with whom he was engaged in confidential intercourse and connection, and especially with the Emperor of Russia.

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On the 11th of February, the great and important question relative to the war with Spain underwent a long and ample discussion in both houses of parliament. In the house of lords, the subject was opened by Lord Mulgrave.

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The chancellor of the exchequer began the discussion in the house of commons. The various papers necessary to afford full information upon every part of the discussion with Spain had been produced, in conformity to his Majesty's directions, and in compliance with various motions made by Mr. Grey, with a view to render the series of documents more complete. It was, however, impossible entirely to accomplish this object; a few papers were still wanting, of which, some were either lost or mislaid, and others, ministers thought it expedient to withhold, on the plea, that no disclosure should be made from which the enemy might derive any advantage.

The debate which took place on this occasion, was perhaps as animated as any that ever occurred. The opposition mustered strong and powerful; and the indecision and weakness displayed in the few instructions which appeared in the long space of time elapsed previous to the declaration of war,—instructions which were described as “*rari nantes in gurgite vasto*,” were particularly expatiated upon; as was also the inattention paid to three letters of the Spanish minister at this court, who could neither obtain access to the secretary of state, nor an answer to his repeated official communications.

Mr. Pitt had, for a considerable time, directed

his attention to the augmentation of the army, and providing for the means of general defence. There appeared, however, to be many inherent defects in the very principle of the measure he adopted ; and these were pointed out, and pressed with great force, by many members of both houses, who were most conversant in military affairs. The event at once verified their predictions, and disappointed the sanguine expectations of the minister and his friends. In some of the most populous counties of the island, not a single man had been supplied under the provisions of the additional defence bill. Several months had elapsed since the measure had come into operation, and the opposition earnestly pressed for the repeal of the act, on the ground of its total failure.

In the house of peers, the motion was introduced by Lord Darnley. In the course of the debate, a subject of considerable interest was incidentally agitated. His lordship adverted, in terms of marked disapprobation, to the union which had taken place between ministers and the friends of Mr. Addington, lately created Viscount Sidmouth. The charge was retorted, with some warmth, upon the opposition ; and the coalition between Lord Grenville and Mr. Fox became, in its turn, an object of animadversion and censure.

The discussions upon the state of our mili-

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tary force, and upon the means which had been adopted for its extension, were not confined to the house of peers. Two successive motions upon the same subject were made in the lower house of parliament by Mr. Windham and by Mr. Sheridan. The motion of the latter was directed merely to the repeal of the additional defence bill, and was similar in its terms to that proposed by Lord Darnley. The motion introduced by Mr. Windham, and of which he had given notice on the first day of the session, was of a much more general and extensive nature. All these motions were, however, respectively negatived.

The difficulty of putting in practice the means of national defence was greatly increased by the very measures which were suggested for removing it. The most plausible and delusive schemes were successively projected; but uniform experience proved that nothing was gained by the mere multiplication of machinery: what was acquired in one way was generally lost in another; and all observing men were at last satisfied of the necessity of abandoning this cumbrous system. As to the additional defence bill, it was even admitted by ministers themselves to have been, up to the period of these debates, almost wholly unsuccessful, but a further trial was contended for, and a more favorable event was confidently predicted. That

trial was made—the result was the same, and has only tended to confirm the opinions of those by whom the measure was originally opposed.

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The national debt had now increased to the enormous amount of six hundred millions, and the annual expenditure to nearly eighty millions; sums which were calculated to alarm the most sanguine; and to raise impressions in the minds of the public not to be eradicated by the pompous, though fallacious, display of national prosperity so frequently held forth by ministers.

On the 18th of February, the house of commons resolved itself into a committee to take into consideration the ways and means proposed for raising the supplies. The estimates for those branches of public service, which, according to established custom, had been already submitted to the house, were referred to the committee. Adverting to these documents, and enumerating the usual heads of supply, Mr. Pitt stated, that the aggregate amount of expenditure was £39,559,521. In addition to this, he proposed, that a further sum of five millions should be granted, in consequence of our continental intercourse, relative to objects of magnitude and importance. With this addition, the total amount of the supply for the united kingdoms would be £44,559,521. To

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meet this prodigious amount, the chancellor of the exchequer proposed to draw his ways and means from the malt and personal estate duties, the war taxes, and by the addition of one-fourth to the existing rate on property. These he estimated at £15,750,000. The surplus of the consolidated fund to the 5th of April, 1806; that of the ways and means of 1804; the lottery; and a loan of twenty millions, would furnish the remainder of the supplies. In order to defray the interest on the loan, he proposed an augmentation on the postage of letters; on various duties on excise and customs; on direct legacies; legacies charged on land; and legacies to strangers in blood.

Upon the third reading of the legacy bill, an amendment was moved, that the clause relating to legacies bequeathed to persons in a direct line of descent from the testator should be omitted. It imposed a tax upon the younger children of a family, while the heir, who was best able to support the burden, was wholly exempted. It was unjust, because the measure pressed with unequal weight on the landed interest, and because the father of a family possessed, in this situation, fewer opportunities than other persons of establishing his younger children. It was also a direct tax upon capital; and to impose taxes upon capital, was to defeat enterprize, and destroy the sources of commerce. Such taxes

have ever been condemned by the wisest political economists. The amendment was lost by a majority of 92, and the bill in its original form was at length carried.

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The situation of Ireland became, at this period, an object of much consideration in both houses, and there requires no hesitation to assert, that its government, state of society, and condition, exhibit the foulest stain, the most disgraceful reproach, that ever stigmatized the name of Britain. It were needless to impute the distractions and general backwardness of that country, to any other cause, than the circumstances under which she had been placed; and the example or wish of those to whose management she had been unfortunately intrusted.

Sir Evan Nepean, chief secretary for Ireland, moved in the house of commons for leave to bring in a bill for the farther suspension of the act of 48 Geo. III., "for the suspension of the Habeas Corpus Act in Ireland." The bill met with considerable opposition on this occasion; also upon the second reading, and upon the committee. The reason given for this measure was the existence of committees of United Irishmen at Paris, or of persons calling themselves such. If such really existed, there was no necessity because *some* of the people were bad subjects, the liberty of a whole nation should be placed at the discretion of the minister

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and his agents. The discontent or disaffection of a few can never warrant the suspension of general liberty—of that act which is the proudest boast, and noblest guard of the constitution. As an amendment to the motion, Sir John Newport moved, that a committee should be appointed to examine documents, and report their opinion whether the continuance of the suspension was necessary to the tranquillity of Ireland. This amendment was negatived, and the bill passed through both houses with considerable majorities.

On the 13th of March, the house of commons having resolved itself into a committee, the ways and means for raising the supplies for Ireland were proposed by Mr. Foster. He began by congratulating the committee upon “the favorable change which had taken place in that country, with respect to her commerce and her revenue, since the last session. The debt of Ireland extended to fifty-four millions, and on the 1st of January, 1806, an addition of more than five millions was to be added to it. The sum which she had to provide for the purpose of paying the interest of her debt, and her quota of contribution of the sum raised by Great Britain for the joint charge of the year, was £8,464,983 currency. To answer this charge he mentioned the produce of the Irish revenue, £400,000; a loan of £2,500,000 provided in

England ; an additional loan of £1,000,000 raised in Ireland; and the surplus existing on the 5th of January upon the loan of last year. These aggregate sums amounted to £8,508,687. To defray the interest and charges upon the loans, he proposed a variety of new taxes ; particularly on horses and dogs, curricles, gigs, and jaunting cars : on the last of which he levied a tax of five shillings. Where the occupier of a cabin was at fifty shillings a year rent, he proposed a duty of three shillings, and double that sum where the yearly rent was five pounds. But those who were not worth ten pounds, or did not rent land to the amount of five pounds a year, were to be exempt from the tax. An additional duty of twenty-five per cent. on windows was also proposed, except in those houses which had fewer than seven. The aggregate amount of the different articles of taxation, he estimated at £262,250 Irish currency.

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It was proposed to revive the six per cent. duty upon goods imported by retail traders, which had been repealed three sessions ago by Mr. Corry. As a tax upon industry and poverty, it was described as the very extreme of cruelty and injustice. On account of its unpopularity, Mr. Foster gave notice, on a subsequent day, of his intention to abandon it.

It had been found, by experience, that the increase of the militia had not only been inju-

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rious to the recruiting service, but from the difficulty of procuring subaltern officers, and from other circumstances, was attended with much inconvenience to the country. The reduction was to have been gradually effected, by allowing the vacancies which might occur, to remain not to be filled up, until, by insensible degrees, the establishment should sink to its destined level. A material alteration was now proposed by the chancellor of the exchequer, by the supernumerary portion of the militia being allowed to volunteer into the line; and it was calculated that seventeen thousand would be immediately added to the regular force of the country. The meditated reduction caused much discontent among many of the militia officers, and excited considerable opposition both in and out of parliament. Several noblemen and gentlemen, connected with the militia, assembled at the Thatched House Tavern; and various resolutions, expressive of the disapprobation which the meeting entertained of the measure, were read, and unanimously adopted. It was even more objectionable than the plan resorted to in the year 1799, which had been uniformly defended by ministers on the ground of necessity, while a solemn pledge was given, that government would never again have recurrence to a similar system. But in this instance no such plea existed. Ministers themselves

had openly asserted that the defence bill had come into active operation, and that the recruiting for general service had been conducted with spirit and effect. It was, moreover, a system of weak policy to diminish the internal and constitutional defence of the country for uncertain views of foreign operation. Ministers were, however, determined to persevere; and a bill for the immediate reduction of the militia of Great Britain was submitted to the house of commons on the 21st of March by the chancellor of the exchequer. It passed through both houses with considerable opposition, and a similar one was also brought in, and passed with respect to the militia of Ireland.

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It is evident that the repeated augmentation of the militia has been adopted solely with a view to its subsequent reduction; and though these artifices may not add to the disgrace of a profligate administration, they are too low and contemptible to be countenanced by the legislature of a great empire.

Amongst the measures for the reform of public expenditure either meditated or resolved upon during the administration of Mr. Addington, it will be recollected, that an inquiry into the abuses of the naval department, was one of the most prominent. A bill was passed in 1803, appointing and empowering commissioners to take examinations with a view to the discovery

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of abuses. This bill, in a great degree, originated with Lord St. Vincent, then at the head of the admiralty. Upon Mr. Pitt's re-accession to power, Lord Melville was appointed to fill that important station. In the mean while, the commissioners had been with much diligence pursuing their investigations: the result of which was, the production of several successive reports; one of which, the tenth, implicated his lordship, whilst in the situation of treasurer of the navy.

Mr. Whitbread accordingly brought forward, on the 12th of June, a motion for the impeachment of Lord Melville for high crimes and misdemeanors. An amendment was proposed by Mr. Bond, that the attorney general should be directed to prosecute his lordship criminally, for the offences stated in the reports of the naval commission and select committee, and to suspend the civil action already ordered by the house, until the other was determined. When the house divided on the subject of Mr. Whitbread's motion for an impeachment, it was lost by a majority of seventy-seven, and on a second division, Mr. Bond's amendment was carried by a small majority of nine. Four hundred and sixty-seven members divided on each question. Upon the meeting, however, of the commons, on the 25th of June, Mr. Leycester moved that the house should proceed against Lord Melville by impeachment, and that the criminal prose-

cution ordered on the 12th should be stayed. This mode was consistent with the usage of parliament, and the dignity of the house; and, he contended, that there were cases, in which our common courts of law could not render substantial justice, because they were fettered by formalities necessary to the ordinary administration of justice, but inconsistent with the development of transactions like the present. On these and other grounds, the impeachment was carried without a division. Mr. Whitbread was constituted manager, and was appointed to acquaint the lords with the determination of the commons.

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In the course of the session some incidental transactions occurred, which are not of sufficient importance for detail. The charge with respect to Jellicoe's concerns, it was agreed by the house, should not form an article in the impeachment; and a bill was introduced to indemnify Mr. Trotter, and all others who might give evidence on the trial of Lord Melville, against any consequences personal to themselves.

Before the remaining discussions are detailed, which originated in, and may be considered as connected with, the reports of the commissioners of public inquiry, and which form, in fact, the main part of the parliamentary operations of the year, it will be proper to notice some other

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subjects which engaged the attention of the legislature. Amongst these, and as referable to the earlier part of the sittings, may be placed the proceedings in regard to the sheriffs of Middlesex, who presided at the county election for 1803. It was a question much debated, whether they should be suffered to offer exculpatory evidence at the bar of the house; or, whether, having been heard before the committee appointed under the Grenville act to try the merits of the election, the report of that committee should be considered as ground enough for the house to come to a decision without a re-examination of witnesses. It was finally determined that the evidence should not be again gone through; and counsel having been heard upon the evidence contained in the report, the house resolved that the sheriffs should stand committed for partiality, &c., in their official conduct. They were discharged at the end of the session.

A criminatory motion was made in the upper house against Mr. Justice Fox, one of the judges of Ireland. Some steps had been taken in the previous sessions; but so many difficulties had arisen as to occasion the final dismissal of the charge. Mr. Wilberforce renewed his motion in support of the bill for the abolition of the slave trade, which was opposed by Generals Tarleton and

Gascoigne, by whom an amendment was moved, that the bill should be read that day six months, and which was carried by a majority of seven.

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Mr. Sheridan's motion for thanking the commissioners of naval inquiry, was agreed to, and the resolutions of the house ordered to be transmitted to them. Lord Darnley, in the house of peers, moved a subject, connected with the remarks made by Mr. Sheridan in the preceding debate. Its tenor was directed to the appointment of a committee to investigate the abuses which had obtained in the naval department. This motion was negatived by a considerable majority.

The situation and claims of the Roman Catholics in Ireland became once more a subject of serious investigation. The letters addressed to Earl Fingall, by the lord chancellor Redesdale, found their way in January, 1804, into the public prints, and appeared to contain a wild, unqualified, and indiscriminate censure upon all ranks and classes of that body of the Irish people, who continue in religious communion with the Latin primate. This was the first regular attack which had been made, since the Revolution, upon the superior catholics. They had hitherto been treated, by every successive administration, with great external appearance of decorum. The sentiments detailed in this correspondence became the subject of indignant

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reprehension; and when it was found that opinions, thus obstinately and irreconcilably hostile to the great mass of the Irish nation, were adopted by a minister of great trust and power, the second person in that part of the united kingdom, the resentment nearly exceeded all bounds. Like every strain of outrageous violence, the letters of Lord Redesdale, when they came before the public, produced the very temper of which they seemed to deprecate the existence. The catholics of Ireland, perhaps, do not feel very keenly the laws by which they are restricted, but when they are roused by continued ill usage, this grievance appears before their minds with every possible aggravation. Complaints in Ireland against the laws which incapacitate Roman Catholics, prove, not so much the severity of those laws, as the discontent of the country.

Meetings were held at Dublin for the purpose of considering the propriety of an application to parliament to relieve the catholics from the several incapacities by which they remain affected. The Earl of Fingall, at the head of the catholic nobility and gentry, joined the meeting of the citizens. These meetings were conducted with composure, and without offensive ostentation, and were neither calculated to inflame the feelings of those who pressed, nor to exasperate the opposition of those who

resisted the great measure of emancipation. Four or five meetings of this nature were held for the purpose of deliberating as to the propriety of the mode and time of application. The final decision did not take place until the winter of 1805, when they agreed to petition the parliament of the United Kingdoms for relief from the severity of those laws in force against them.

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Lord Grenville, in the house of peers, moved, on the 10th of May, that the catholic petition should be taken into consideration, and prefaced his motion with an eloquent and comprehensive speech. He observed, that not merely a part, but the whole of the prayer of the petition should be acceded to. For the general wish anxiously looked for a complete union of all descriptions of his Majesty's subjects; for an union not merely in name, but an union growing out of mutual interest and affection, and determined devotion on all sides for the defence of the constitution. It was computed that there were four millions of persons in Ireland educated in, and professing the tenets of, the Roman Catholic religion. As it is the object and duty of every government to provide for the happiness of the nation they rule, therefore a government cannot be said to provide for the happiness of a country, three-fourths of whose population does not seem entitled to their care. The principle of our constitution consists in equal laws

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and privileges, the continuance of such disqualifications cannot, therefore, be justified, except on the score of necessity. But no necessity exists. Such an idea is incompatible with the basis of a free constitution, which is founded on equal laws ; and though it may be necessary to admit some distinction of privilege, yet that four millions of his Majesty's subjects should be debarred of the exercise of those privileges enjoyed by the other classes of their fellow-subjects, requires, to justify such a privation, the most strong, the most palpable, unquestionable expediency and necessity.

The arguments of Lord Grenville, convincing as they must be to impartial and enlightened minds, and supported as he was by all which were of virtue and talent, were nevertheless unsuccessful. On the house dividing, there appeared for the motion 59, and against it 178. The same question was agitated in the house of commons by Mr. Fox, who was most ably seconded by the eloquence of Mr. Grattan. "Remove," said the latter, "the penal code ; remove what yet remains of it ; seek the improvement of Ireland ! Learn wisdom from adversity. While Europe is in battalia against us, will you sit contending about mysteries ?" There were for Mr. Fox's motion 124, and 336 against it.

The house was occupied during the remainder

of the session with Mr. Grey's motion for inquiry into the state of the country, and our continental alliances. A sum of three millions five hundred thousand pounds was voted for subsidies, and on the 12th of July the parliament was prorogued.

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The situation of Europe at the commencement of 1806 was unprecedented in history. Two great rival nations had acquired, not merely a decided preponderance, but an absolute and uncontroled dominion, the one over the seas, the other over the land. The battle of Austerlitz had confirmed the military superiority of France, while the victory of Trafalgar had no less established the naval pre-eminence of Great Britain. Still was the situation of England at this period replete with danger and alarm. She had embarked in hostilities with a most formidable adversary, and had hazarded a most unequal and disproportionate stake in the contest. Unable to make any serious impression on his territory, or weaken the solid foundations of his power, the utmost exertions of her hostility were limited to paltry and ineffectual warfare; while her power and pre-eminence, even her very existence, were threatened with danger and destruction.

In this situation of affairs, parliament, after repeated prorogations, at length assembled on the 21st of January, and the session opened by

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commission. The heads of the speech were principally congratulations on the splendor of our naval victories, mingled with regret for the death of Lord Nelson ; and a recommendation to parliament to bestow some mark of national munificence on his family. His Majesty next informed parliament that he had directed the treaties to be laid before them, which he had concluded with foreign powers ; and while he lamented the disastrous events on the continent, he congratulated them on the assurances which he continued to receive from the Emperor of Russia, of his determination to adhere to his alliance with this country. He then signified to the house of commons, that he had directed the sum of one million, accruing to the crown, from the droits of the admiralty, to be applied to the public service of the year ; and concluded, by recommending vigilance and exertion against the enemy, as by such means alone the present contest could be brought to a conclusion consistent with the safety and independence of the country, and with its rank among the nations of the world.

The address, which, as usual, was an echo of the speech, was moved in the house of peers by the Earl of Essex, seconded by Lord Carleton ; and in the house of commons by Lord Francis Spencer, seconded by Mr. Ainslie.

The speech had been intentionally couched

in such language, as, it was supposed, would create no difference of opinion as to the terms of the address. The only part which could lead to any discussion or debate, was a passage in which his Majesty, in allusion to the late war and coalition on the continent, had been advised to express his confidence, “ that his parliament would be of opinion, that he had left nothing undone, on his part, to sustain the efforts of his allies, and that he had acted in strict conformity to the principles declared by him, and recognized by parliament as essential to the interests and security of his own dominions, as well as to the general safety of the continent.” But where, and in what manner, had his Majesty’s government sustained the efforts of his allies? Austria, after the most serious disasters, had wisely chosen to abandon the contest, rather than hold out to the last, at the risk of destruction. What then were our hopes of continental connexion? What of the liberties of Europe? What of the prospect of setting limits to the power of France, justly and rationally considered, before the disasters of the late coalition, as too formidable? Could the authors of the ruin of Europe imagine, that parliament would meet, and no observations be made on their fatal labors in hastening the catastrophe?

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An amendment to the address had, therefore, been prepared by opposition, which was read in both houses, and contained the following words :

“ That this house feels the deepest concern at the series of disasters which have attended the arms of your Majesty on the continent, and will, without delay, proceed to inquire into the cause of such disasters, as far as they may be connected with the conduct of your Majesty’s ministers. The house is perfectly sensible that the alarming and unexampled state of public affairs renders the most vigorous exertions necessary for the preservation of the empire ; and we feel it our peculiar duty, when we call for those extraordinary efforts, to provide, that the resources we furnish, and the powers we confer, may not in future be so employed as to increase the perils they were intended to avert, and to aggrandize that power to which it is the common interest of all Europe, as well as of Great Britain, to set proper limits.”

But this amendment, though read in both chambers of parliament, was not brought forward as a motion, on account of the indisposition of the person who was chiefly involved, and most deeply interested, in the defence of the measures of administration, and which at

last terminated in his death on the 23rd of January.

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Mr. Pitt died in the 47th year of his age, having enjoyed greater power, and held the highest station in the government for a longer period, than any former minister. Whether the appellation of illustrious statesman has been justly applied to him, is a question on which men may reasonably differ. The French Revolution was the great event of his time, and his conduct, in regard to it, is the touchstone by which posterity will try his claims to that honorable distinction. His wavering and uncertain policy, so unlike that of a great statesman, is not, however, to be entirely attributed to a want of original genius, but was owing in part to his excessive thirst of popularity, and to the habit of contemplating all objects with reference to their effect in parliament. Although there was but little system in his operations against France, he was so pertinacious in his hostility towards her, that, when he ceased to have any rational object in the war, he continued to be obstinately averse to peace. The true key to this inconsistency in his conduct may be difficult to ascertain: but the fact is ever to be lamented; for to the long continuance of the war, and to that system of finance which he introduced, may be attributed not only the evils which overwhelm

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England, but the misfortunes which suffering Europe has endured from the arms of France.

The power of Mr. Pitt, as a minister, was for many years unbounded; but the circumstances attending his return to office in 1804, deprived him of the support of the ablest and most respectable of his friends, and reduced him to straits and difficulties to maintain his authority. The disastrous termination of the last coalition against France, had lessened considerably, at the time of his death, the public confidence in his administration, but the general opinion of his merits and past services was little, if at all, affected by these misfortunes.

It was doubtful, if Mr. Pitt had lived, whether the administration over which he presided could have gone on without some radical change in its composition, or some material addition to its strength. The principle of exclusion on which it had been originally founded was odious and unpopular, and the late misfortunes on the continent had diffused a very general opinion over the country, that some essential change was necessary in the conduct of our foreign affairs, in order to extricate us from the unexampled difficulties in which we were involved. But whatever might have happened if Mr. Pitt had survived, his death, at so critical a juncture, was considered as a virtual dissolution of the administration. His col-

leagues were men of little weight or consideration in the country, and if they were not peculators themselves, they were regarded by the public as the abettors and defenders of speculation; although they had not ventured openly to justify that offence, they had endeavoured to extenuate its guilt, and to screen from punishment the defaulters. Besides the want of public confidence in these ministers, they were disunited and without a head. As they were connected together by no public principle, or patriotic feeling, or party attachment, no sooner had the death of their patron dissolved the only tie that united them, than symptoms of disunion and disagreement appeared amongst them. Without a leader capable of inspiring confidence, and of maintaining a due communication between the members of the party, it was obviously impossible they should long act together in concert. In circumstances so discouraging, and so unpromising of success, the surviving members of Mr. Pitt's administration resigned to their opponents the reins of government without a struggle, and even refused a farther charge of them when pressed to it by the court.

With the concurrence of his Majesty, Lord Grenville and Mr. Fox prepared the plan of administration, which they could recommend to their sovereign as adequate to the present

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exigencies and expectations of the country. The basis of such an administration would, in their hands, it was obvious, consist of what were called, "the old and new opposition." The new opposition, which looked to Lord Grenville as their leader, was composed of the whig families, with the exception of the house of Bentinck, which had separated from Mr. Fox at the revolutionary war, in order to support the measures adopted at that time by government. The old opposition, consisting of those whigs who, undismayed at the French revolution, had stood by Mr. Fox in his opposition to the late war, and had remained steadily attached to him, and to what they had conceived the true principles of liberty, during the whole of that eventful period. Of these two branches of opposition, the old was the most popular with the great body of the nation; the new had most the confidence of men of rank and property. But the united strength of both parties did not exceed one hundred and fifty members in the house of commons, and it became therefore highly expedient, if not absolutely necessary, to look out for some third party, by the assistance of which they might strengthen their government in that branch of the legislature. And this additional strength could only be procured either from the friends of the late minister, or from those of Lord Sid-

mouth. Many reasons concurred for giving a preference to the latter. The ex-ministers were the authors of the late calamitous coalition, which had sealed the final doom of the continent; and if they were pledged to any public principle, it was to resist every inquiry into public abuses. But Lord Sidmouth had been dismissed from office by these very men, because his friends would not support them in their attempts to screen Lord Melville from public trial, and it was to the inquiries set on foot in his lordship's administration, that all the discoveries of peculation were justly to be attributed. The government of Lord Sidmouth had been certainly more frugal and economical than that of the late ministers, which had been distinguished by its prodigality and immoderate expense. Lord Sidmouth was favorably disposed towards peace, while the ex-ministers breathed a spirit of eternal war.

The only objection to the admission of Lord Sidmouth into ministry, was founded on the opinions he was known to entertain of catholic emancipation. And if there were any intention of bringing that subject into immediate discussion, or any probability of being able to bring it forward in parliament as a ministerial question, there can be no doubt that the objection would have been conclusive. But his

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lordship was not singular in his opinions on that subject. His Majesty's objections to any further concessions to his catholic subjects were unabated, and as they were founded on scruples of a religious nature, they were considered by those who best knew his character, to be wholly insurmountable.

The plan of the new ministry being at length arranged, it was submitted to the King on the 31st of January. No exceptions were made to any of the proposed appointments, but difficulties of a most serious nature arose relative to the government of the army, which threatened to put an entire stop to the new arrangements. It was hinted to his Majesty, that certain changes might be necessary in the army, more particularly to that department under the superintendance of the Duke of York. Objections were, however, made to this intended measure, inasmuch as the army had been kept distinct from the other branches of the administration since the time of the first Duke of Cumberland, and had been considered as under the immediate control of the King, through the commander-in-chief, without any interference on the part of the ministry, except in matters relating to the levying, clothing, and paying, the troops. His Majesty at last gave his consent, with this proviso, that no changes in the

government of the army should be carried into effect without his knowledge and approbation.

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The new administration being thus finally settled, the cabinet was composed of the following members: Lord Erskine, lord chancellor; Earl Fitzwilliam, president of the council; Viscount Sidmouth, privy-seal; Lord Grenville, first lord of the treasury; Lord Howick, first lord of the admiralty; Earl of Moira, master-general of the ordnance; Earl Spencer, Mr. Fox, and Mr. Windham, secretaries of state for the home, foreign, and war departments; Lord Henry Petty, chancellor of the exchequer; and Lord Ellenborough, lord-chief-justice. The Duke of Bedford went as lord-lieutenant of Ireland, and Mr. Elliot accompanied him as chief secretary. Mr. George Ponsonby was appointed chancellor and keeper of the seals in Ireland, and Sir John Newport chancellor of the exchequer.

Lord Grenville, when he accepted the office of first lord of the treasury, enjoyed the lucrative appointment of auditor to the exchequer, which he held for life. As the holding of both was incompatible, it was deemed necessary to bring a bill into parliament to enable the auditor of the exchequer to accept the office of first lord of the treasury without forfeiting the place of auditor; and to empower him to name a trustee

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to hold that appointment while he continued a lord of the treasury, who should be responsible to the auditor for the salary, and to the public for the due execution of the office.

The appointment of Lord Ellenborough to a seat in the cabinet was a measure of mere doubtful policy. With the exception of Lord Mansfield, there had been no instance of a lord-chief-justice, who had taken an open, undisguised part, as an adviser of the crown upon affairs of state. It became, therefore, an object of general discussion and animadversion ; and, at length, was brought before parliament by the Earl of Bristol, in the house of lords, and by Mr. Spencer Stanhope in the house of commons.

Though there never was a junction of parties which had been less the work of design and intrigue, and more the result of circumstances and the natural course of things, than the coalition which had taken place between Lord Grenville and Mr. Fox, it had produced, to a certain degree, the effect of all coalitions, on the adherents of both, by weakening and cooling their zeal and attachment to their party. To vindicate party, and shew that it is a necessary counterpoise in our government, to the power and influence of the crown, it is sufficient to remark, that government with us is always a party, and that every place-man either gives up his opinion to the government, or resigns his

office. But, if every place-man, whatever be his private opinions, votes upon every question, as if he had no opinion but that of the government, any opposition to the measures of government will be ineffectual, and will have the remotest chance of success, unless they who disapprove of the general conduct of administration, combine together on a similar principle, and while they agree on certain fundamental tenets, make mutual concessions of opinion on subordinate questions. If such a party be formed for the mere purpose of forcing itself into place, it degenerates into a miserable faction; but, when founded on public principles, it has been found, by experience, to be the safeguard and defence of our rights and liberties.

The first subject which engaged the attention of the new ministry, was the military arrangements for national defence. This subject had, of late years, frequently engaged the attention of parliament; many projects had been proposed, and many experiments tried for the attainment of a mode, effectual as to its object, and suitable to the circumstances of the country. The army of reserve bill was avowedly a temporary expedient; and, although unjust in its principle, as well as partial and unequal in its application (and all levies by ballot must necessarily be, except in cases of urgent necessity, and for purposes of self-defence,) it had, in some degree,

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attained its object. Not only was the operation of this bill partial and unjust, because, instead of raising men at the expense of the community out of the general revenue of the state, it compelled private individuals, of a certain age, on whom the lot happened to fall, to furnish substitutes at a considerable personal expense; but, in consequence of the competition of so many eager and unpractised recruiting officers, as it was sure to produce, the bounties for enlistment rose so high, that after destroying the ordinary recruiting for the regular army, the operation of the bill was suspended by its authors, while the number of men intended to be raised was still incomplete.

On the first day of the session Mr. Sheridan had given notice of his intention to move for the repeal of the additional force bill. The change of ministry which followed within a few days after Mr. Sheridan's notice, rendered the bringing it forward unnecessary, as the subject naturally devolved on Mr. Windham, secretary of state for the war department, whose attention had been much directed to the military branch of the public service.

On the 3d of April Mr. Windham introduced the subject of his new military arrangements, which had for its object the increase and improvement of the regular army. He proposed that the term of military service should be

divided into three periods, of seven years each for the infantry; and for the artillery and cavalry, the first period to be of ten years, the second of six years, and the third of five years. At the end of every period the soldier should have a right to claim his discharge. If he quitted the army at the end of the first period, he should be entitled to exercise his trade or calling in any part of the united kingdoms: if at the end of the second period, he should be entitled, besides, to a pension for life; and, at the end of the third period, he should be discharged from the army, with the full allowance of Chelsea, which, by judicious regulations, might be raised to a shilling a day. If he were wounded or disabled in the service, he should receive the same pension as if he had served out the full term. During the second period, he should also receive sixpence a week, additional pay, and, during the third period, a shilling a week. Desertion might be punished by the loss of so many years service, and though corporeal punishments could not be banished entirely from the army, they might be diminished both in number and severity. By these means Mr. Windham stated, a better description of men would be induced to enter the army; the profession of a soldier would rise in the estimation of the country; desertion would become less frequent; and though the necessity for bounties could not

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be expected to cease immediately, the bounties would soon begin to decrease in value; and if the system, he recommended, was steadily pursued, and faithfully adhered to, the army would be placed in a situation, where its own attractions would be the only bounty required for recruiting its rank, and procuring any number of men, which the exigence of the state might require. After making a variety of observations which arose out of the nature of the subject, Mr. Windham concluded by moving for leave to bring in a bill to repeal the act passed in the 44th of his Majesty, called "the additional force bill."

An animated and extended discussion took place on this question. The spirit of determined hostility to the new military system, which had marked the conduct of the opposition, in their defence of the additional force bill, continued to animate them throughout the subsequent debates, when the different parts of that system came in detail before the house. The mutiny bill, the Chelsea hospital bill, the training bill, and the militia officers bill, gave occasion for very long debates, which, from the frequent recurrence to the same topics, became, at length, tiresome and uninteresting. Some amendments in Mr. Windham's bill were proposed by Mr. Perceval, and adopted by ministers, and, after having encountered a most

active opposition in every stage of its progress through the house, it at length passed the commons on the 14th of May.

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In the house of lords it met with comparatively little opposition. As the new military system had not been submitted to that house, it was impossible for their lordships, in discussing the merits of the additional force bill, to introduce the same topics which had given rise to so much debate in the house of commons.

Additional pay to infantry officers was afterwards voted on the 14th of July, in a committee of supply, without opposition, along with an increase of pay to serjeants, corporals, and privates; an addition to the Chelsea pension, and an increase of pensions to officers' widows. Nor were the interests of the navy forgotten in this exertion to improve the condition, and to add to the future comforts, of the army. On the motion of Lord Howick a sum was voted to enable government to increase the pay of the officers, petty officers, and seamen, of the royal navy: and two acts were afterwards passed to empower the governors of Greenwich hospital, and the directors of the chest, at Greenwich, to increase the allowance of out-pensioners, and to grant pensions to old, infirm, and disabled officers, not provided for in that hospital, in addition to their half-pay. And in order to defray these expenses, additional funds were

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appropriated, by act of parliament, to the support and increase of that noble establishment.

When the ministers first came into office, they found that a greater number of foreign troops had been enlisted, and brought into the kingdom, than was authorized by law. In consequence, they were induced to apply to parliament, for an act of indemnity to the advisers of that measure. And as it would have been inexpedient to have disbanded these troops, and inconvenient, if not impossible, to have sent them out of the kingdom, they procured authority for his Majesty to retain them in the country, and to increase them permanently to the number of sixteen thousand men. It is to be regretted, that the necessity for this bill should have arisen, and it is still more to be lamented, that any temporary convenience should have led to the permanent augmentation of the foreign troops stationed within the kingdom. The ancient and constitutional jealousy of a standing army, ought not, for a moment, to be suspended. There can be no necessity for intrusting our defence to foreigners; while there may be great danger to our liberties from the existence of an armed force amongst us, which has no tie connecting it with the country, except the unlimited obedience which it owes to the crown.

The new ministry, in the measures of finance, CHAP.
contented themselves with following the sys- XXV.
tems, and executing the plans of their prede- 1806.
cessors. Unless in evincing a greater anxiety,
and shewing greater vigilance for the detection
and suppression of abuses, they seemed to be
unambitious of any higher distinction in this
important branch of their public duty. The
sinking fund, for the redemption of the national
debt, which many feared, or affected to fear,
would be far from secure in their hands, and
which several persons, both in and out of par-
liament, urged them strongly to encroach upon,
they determined to respect. The system of
war taxes, or the plan of raising within the
year a great part of the supplies necessary for
the public service, they took up with zeal, and
carried to an extent before unexampled. In
the prosecution of this object, they had recourse
to a mode of taxation which bore peculiarly
hard on the middling ranks of life, and on those
industrious classes of society which are removed
by one degree only from indigence; and as the
popularity of one branch of the administration
lay in a more particular degree among persons
of that description, their conduct, in this re-
spect, excited against them a degree of odium
and unpopularity proportioned to the former
affection and regard entertained towards them.
It seemed to add to the sufferings of the people,

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when the property tax was raised to ten per cent., and most of the former exemptions done away, that a measure so oppressive should proceed from persons who had opposed the triple assessment, the income tax, and the property tax itself, when first introduced. It must, however, in justice to the ministers, be acknowledged, that it was owing to the heavy taxes imposed during this session of parliament, and the measures taken to render them effectual, that they were enabled, at a future period, to hold out to the country the consolatory assurance, that, on the scale on which they had determined to conduct the war, no additional taxes would be necessary to carry it on, to whatever period, however distant, it might be prolonged.

Lord Henry Petty, as chancellor of the exchequer, opened the budget on the 28th of March. The national funded debt unredeemed was now upwards of six hundred and forty millions. The sum of £43,669,000 was required for the services of the year. And in this amount was included a loan of eighteen millions. Among the taxes proposed for defraying the interest on the loan was one on pig iron. This met with much opposition, as affecting a raw material, which was afterwards wrought up and manufactured into articles, where the burden of the tax would be out of all proportion to the benefit derived from it to the exchequer.

The chancellor of the exchequer proposed, in lieu of this tax, one on private brewers, which excited against him a still more violent outcry in the country. It was in vain that he dropped the most obnoxious clause in the bill, as originally introduced; the prejudices against it were so strong, that he was compelled to abandon it entirely. Baffled in these two measures for raising the interest on the loan, he had recourse, at length, to the expedient of adding ten per cent. to the assessed taxes, which was submitted to without opposition. Though the readiness shewn by ministers, on these occasions, to give way to the public opinion was so far to their credit, the necessity to which they were driven, of increasing the assessed taxes, after having failed in two different plans of taxation, left an unfavorable impression in the country of their financial talents and resources.

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The Irish budget was opened by Sir John Newport, the chancellor of the exchequer in Ireland, on the 7th of May. It appeared that the supply voted was £8,975,194; and the ways and means provided were estimated at £9,181,455. The loan, which was for two millions, had been raised at seven shillings per cent. less than the loan for England, and this was regarded as a favorable symptom of the growing prosperity of Ireland, and of the confidence reposed in its government.

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The correction of the abuses which existed in the revenue department of the state occupied the attention of the house of commons during this session. An act was passed for regulating the office of paymaster of the forces, and of the bill introduced, and afterwards violated, by Mr. Dundas, for regulating the office of treasurer of the navy. By this act the balances of the ordnance were ordered to be deposited at the Bank of England, and the payments to be made by drafts upon the Bank, except the payments on the treasurer's petty accounts, for which, small sums, on the requisition of the board of ordnance, were to be issued to him from the Bank, and applied by him for no other purposes than those authorized by law. Similar acts were passed to extend the principle to the excise and customs, to the stamp and post offices, and to the office of surveyor general of woods and forests.

The attention of parliament was next called to a reform in the auditing the public accounts. It appeared that in consequence of the imperfection of the provisions established for that object, there had been a gradual accumulation of unaudited accounts, amounting, when the present ministers came into office, to the enormous sum of five hundred and thirty-four millions. Not a single account in the army pay office had been audited since 1782. The store

accounts had been suffered to lie over, without examination, during the same period. The navy accounts were greatly in arrear. None of the accounts of the late war were audited, and those relating to the expeditions to Holland and Egypt, and to the treaties of subsidy with foreign powers, had not even been touched upon by the auditors. It is unnecessary to remark on the manifold risks to which the public is exposed by such delay in auditing and settling its accounts. If the agents have been guilty of fraud or negligence, the lapse of so many years must increase the difficulty of searching into their delinquencies. At the same time, it is a hardship on persons engaged in the service of the public, that having been once employed in the expenditure of public money, they should be unable, in the whole period of their subsequent lives, to obtain a settlement of their accounts, for the security of their families, and justification of their conduct.

No measures of the treasury gave greater satisfaction during this session of parliament than those for expediting and securing the regular settlement of the public accounts. Nor was ever surprize more general, or more unequivocally expressed, than when the negligence of the late administration upon this subject was first made known to the house of commons.

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Some commercial laws were passed in this session, the most important of which was the act to permit the interchange of every species of grain between Great Britain and Ireland, without any bounties or duties, or any restraints whatsoever. The American intercourse bill, differed not more remarkably from the corn intercourse bill, in the comparative unimportance of its enactments, than in the violent and unreasonable opposition it was destined to suffer. Nor was this spirit of enmity confined to the legislature. The ship-owners, in different parts of the kingdom, were excited to present petitions against it. And so successful were the artifices used to impose upon their minds, that long after the bill had passed into a law, they continued firmly persuaded, that to this harmless and inoperative measure, all the distresses which they afterwards suffered were justly to be attributed.

No part of the conduct of the new ministers reflected greater credit on the sincerity and consistence of their characters, than the measures they adopted in regard to the African slave trade. By the operation of these measures, not only was a stop put to the future increase of the British slave trade, and a pledge given by both houses of parliament for the total abolition of that iniquitous traffic with all practicable dispatch; but a trade was abolished which used to carry over yearly above forty

thousand Africans, from their peaceful homes, through the multiplied horrors of the middle passage, to perpetual bondage and wretchedness in the West India plantations; and an end put to the murders, torture, and plunder, which were daily and hourly desolating the continent of Africa, for the supply of so enormous a demand for human beings.

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The remaining proceedings of parliament during this session, with the exception of the trial of Lord Melville, either related to subjects of little general interest, or were left in an incomplete state at the conclusion of the session, or they failed in attaining their objects.

The trial of Lord Melville commenced on the 10th of April. The articles of impeachment were ten in number, and which were far from being well drawn up. The same charge was repeated in different articles, and the same article often contained more charges than one. These defects in the articles of impeachment became eventually favorable, in their operation, to the defendant, by lessening the apparent number of persons, who, on the last day of the trial, pronounced him guilty. For there were some of his judges, who, though they agreed in the facts of which they thought him guilty, yet differed so widely in their construction of the articles of impeachment, that meaning to find him guilty of the same fact, they voted

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him guilty on different articles. Accordingly, though 59 out of 136 peers, who voted on Lord Melville's impeachment, found him guilty of high crimes and misdemeanours, there were not more than 53 who agreed in finding him guilty of any one article as charged by the commons.

Towards the close of the preceding session, Mr. Paul, a gentleman lately returned from India, had come forward in the house of commons as the accuser of the Marquis of Wellesley, and had obtained orders for the production of various papers to substantiate his charges. Early in the present session he had resumed the subject; and though the change of ministry, which soon after followed, was fatal to his hopes of active or strenuous support from any of the great parties in parliament, he continued to urge his accusation with unabated constancy and perseverance. The partizans of Lord Wellesley, and admirers of his administration in India, were numerous and powerful in the house of commons, and eager, and even violent in his defence. The East India directors were, indeed, hostile to his system of government, to which they justly imputed all the pecuniary difficulties of the company; but they were averse to his impeachment, either because they thought his conduct did not afford grounds for such a procedure against him; or, because they

despaired of success, and deprecated an attempt, which, if it failed, might raise him again into power.

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After a busy session, of six months' duration, parliament was prorogued, on the 23rd of July, by commission.

During the recess of parliament the public sustained a heavy loss in the death of that distinguished statesman and most strenuous assertor of freedom, Mr. Fox, which event took place on the 13th of September. The most prominent feature of this great man's character was an ardent love of liberty, and a generous detestation of cruelty, dissimulation, and oppression. Never was his voice raised in defence of violence or injustice, nor his aid refused to any who implored his assistance against oppression or persecution. He was eminently qualified for public debate, and his speeches were the most profound sources of constitutional knowledge, and the most wise lessons of political expedient. His principles, with regard to the English constitution, were those of the whig aristocracy, moderated and tempered by strong popular sympathies, and an unqualified confidence in the good sense and good intentions of the people of England. Mr. Fox enjoyed the unbounded confidence of the democratic or popular whigs, who, first under Lord Chatham, and afterwards under Lord

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Lansdowne, had formed a distinct party during the preceding part of the present reign. By what steps he succeeded in re-uniting them afterwards with the more aristocratic whigs, who had gone over to the court during the alarm produced by the French Revolution, is too well known to be here repeated. It must be ever a subject of regret, that the union of these parties, so necessary for the preservation of public freedom, and so essential to the common object of both, was so long delayed, and that, when made, it was not more firmly consolidated before the loss of him, by whose tried integrity and conciliatory character, it had been chiefly, if not entirely, effected.

At the period of Mr. Fox's death, the strength and popularity of the administration were much inferior to what they had been at the time of its accession to power. The country had expected, from the talents and reputation of its members, either the restoration of peace or a more successful prosecution of the war ; and in both expectations it had been disappointed : and so sensible was the opposition to the declining power and popularity of the ministry, that, during the illness of Mr. Fox, some of its leaders were understood to have made private overtures to the court, for taking back the reins of government, which they had suffered to drop from their hands some

months before. Though it was still uncertain whether Mr. Fox might not recover, yet in case of his death, it is not improbable, that hopes were entertained of being able to form without a struggle a new administration, in which his friends would be left out. But Lord Grenville, on whom the formation of the new arrangements devolved, sufficiently evinced his attachment to his new associates, and that an event like this was insufficient to detach him from them. He recommended Lord Howick to succeed Mr. Fox in the foreign office: Mr. Grenville to be first lord of the admiralty in the place of Lord Howick; Mr. Tierney to be president of the board of control in the place of Mr. Grenville; Lord Sidmouth to succeed to the presidency of the council; and Lord Holland to succeed Lord Sidmouth as lord privy seal. In these appointments Lord Holland, the nephew of Mr. Fox, was the only new member brought into the cabinet. When these arrangements were submitted to his Majesty, he was pleased to grant his acquiescence.

The first measure of the new administration was the dissolution of parliament, and the returns at the general election were such as to add to the weight and influence of the friends of the ministry in the house of commons. The whig party which had been driven out of

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Yorkshire in 1784, recovered one of the seats for that great and independent county. In Norfolk, after a severe contest, both members returned were whigs; and one of the seats for Liverpool was carried by the abolitionist, against the traffickers in human flesh.

The new parliament that had been called in October, assembled, according to appointment, on the 15th of December. It was opened by commission. The first point in the speech was the late negotiation with France, and the efforts which his Majesty had made for the restoration of general tranquillity, disappointed by the ambition and injustice of the enemy, which had kindled a fresh war in Europe, and of which the progress had been attended with the most calamitous events. The speech proceeded to declare the necessity of public burthens, and to recommend as great economy as was consistent with the efforts necessary to be made against the formidable enemy we had to contend with. The address to the speech was moved in the house of lords by the Earl of Jersey, and seconded by Lord Somers, and in the house of commons by Mr. Windham, and seconded by Mr. John Smith, which were carried unanimously. The thanks of both houses were voted with loud acclamation to Sir John Stewart on account of the victory achieved at Maida.

The subject of the negotiation was brought under the consideration of the house of peers, according to the order of the day, on the 2nd of January, 1807. Lord Grenville, after some preliminary observations, stated, that the first terms offered by France might have been considered as the fair price of peace, had we been concerned for ourselves only, but which were offered as the price of dishonor, as the price of the desertion of our ally, the Russian Emperor. The French government, partly by threats, and partly by promises, and aspiring hopes, contrived to persuade the Russian minister at Paris, M. D'Oubil, to sign a separate treaty of peace. On this being effected, there was a remarkable alteration in the tone of the French government; but finding that the treaty would not be ratified, it immediately offered the English negotiators, the Earls of Lauderdale and Yarmouth, better terms, in hopes of being able, though they could not separate Russia from this country, to separate this country from Russia; and this was the third stage of the negotiation. The fourth and last stage of the negotiation was, when the French ministers, finding that Great Britain and Russia were inseparable, at length agreed to the negotiations to be carried only conjointly for the interest of Russia and Great Britain. They refused to agree to the terms asked on behalf of Russia,

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and again offered terms to this country on the principle of a separate treaty.

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The rupture of the negotiation followed of course. Lord Grenville concluded by moving an address to his Majesty, “to assure him that that house had taken into serious consideration the papers relative to the negotiation, and that it had seen with gratitude he had employed every means to restore the blessings of peace, and, at the same time, with an observance of that good faith with our allies, which this country was bound to retain inviolate,” &c.

The same motion, introduced by a speech to the same effect, was made by Lord Howick in the house of commons. Never did any motion meet with more cordial and unanimous support in either house, and yet none, perhaps, ever gave rise to a longer conversation, which turned for the most part on the mode and course that had been pursued in the negotiation.

Never was the British parliament more unanimous upon any question than that the crown was to be supported in the prosecution of the war against France, with the whole energy and resources of the nation. Buonaparte had declared he would not leave the shores of the Baltic, nor evacuate any of the countries of which he might have taken possession, unless Great Britain should relinquish her maritime conquests; we had, therefore, no alternative

between resistance and submission. The first attention of the legislature was demanded by the state of the army and navy, and of the finances by which these were to be maintained and reinforced.

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On the 21st of January Mr. Windham moved, in a committee of supply, the returns of the present effective state of our military establishment. These were classed under twenty-six heads, and the military force, exclusive of the troops in India, was estimated at 334,180 men, and the charge for the maintenance of this vast body at £14,743,348. Mr. Windham congratulated the country on an augmentation of the number of our forces, and a decrease of the expense of the establishment of £150,000. He made some pointed observations on the volunteers, and paid them high compliments on their characteristic spirit and zeal. The whole number that had retired was only 11,486, and there still remained on service 363,400. A vote of ten thousand seamen, in addition to one hundred and twenty thousand already voted, was moved for by Mr. Thomas Grenville, first lord of the admiralty. The resolutions on the navy estimates were agreed to, and the sum of £6,090,727 granted for the ordinary expenses of the navy.

On the 20th of February the house of commons resolved itself into a committee of

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supply, on the various accounts respecting the Irish miscellaneous service. The sum of £666,000 was granted for the services of the current year, and the sum of £5,000 was voted for the Roman Catholic college at Maynooth, in addition to the annual sum of £8000.

The estimates for the services of the current year having been approved, it became the next and most important duty of the legislature, to devise in what manner the free revenue of the country might be rendered sufficient for defraying expenses of so vast a magnitude. The house of commons resolved itself into a committee on the 29th of January, to take into consideration the finances of the country, and the several acts relating to the redemption of the public debt. Lord Henry Petty stated, that nearly the whole of the supplies had already been voted by the house, and the amount of those wanted by Great Britain and Ireland as a joint charge, was £43,811,340. After an enumeration of the different ways and means, there remained to be raised by loan the sum of twelve millions.

The principle on which the chancellor of the exchequer founded his plan of finance, appears to have been to render the operation of the sinking fund more equal in its progress; to increase its present powers, and to diffuse over a great number of years those extensive

effects which would, according to the present system, be confined to the latest period of its operation ; and to keep up the price of stocks by the application of a larger sinking fund to the redemption of the redemption of the present debt, until the period of its final extinction, than would have been made during the same period, by the effect of the present system. He stated, that by this plan he should be enabled to provide for an extraordinary expenditure of thirty-two millions. Should any farther charge arise, that charge must, under this, as under any other plan of finance, be productive of additional burthens. But, unforeseen charges apart, this sum could be provided for a series of years without any addition to the public burthen. An addition would be made to the sinking fund even in the present year, and an amount, equal to the present unredeemed debt, would be more speedily redeemed. The proportion which the sinking fund bore to the unredeemed debt, and on which the period of the duration of that debt depended, would be increased, and, by a more equal distribution of the powers of the sinking fund, those inconveniences would be avoided, which would necessarily arise from the too great influx of money into the market during the latter years of its operation. He concluded with laying eleven resolutions, relating to the

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plan, on the table; and proposed that the consideration of them should be adjourned till the 16th of February.

Plans of finance were then separately proposed by Lord Castlereagh and Sir James Pulteney, and it appeared that the principal objection to the plan of Lord Henry Petty, was, that it meant to legislate for futurity. It merely held out the purport of what might be done in twenty years, certain data being allowed. It did not tie up the hands of the legislature from adopting such alterations as circumstances might render necessary. As to the depreciation of money, if there were any mode better than another for preventing such depreciation, it was, to prevent any additional taxes. On the 4th of March the resolutions of the chancellor of the exchequer, were agreed to in the committee.

A committee of finance had been appointed, in the year 1797, for investigating public establishments, and sifting official abuses, as a ground work for retrenchments in the national expenditure. For the same purpose Mr. Biddulph moved for a committee to consider of what saving could be made by the reduction of useless places, sinecure offices, exorbitant fees, and every other retrenchment that could be made in the expenditure of the public money. Lord Henry Petty moved an amendment, to which Mr. Biddulph agreed, as there was little

of substantial difference between it and his motion. The sentiments of ministry, on this occasion, were highly applauded, and a committee was appointed, to whom the reports were to be referred.

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The abolition of the slave trade now occupied the attention of parliament. It will be recollected, that two resolutions were passed by both houses in the last session; the one declaring, that the African slave trade ought to be abolished, with all practicable expedition, as contrary to justice, humanity, and sound policy: and the other to address his Majesty to take measures to obtain, by negotiation, the concurrence and concert of foreign powers in the abolition of the slave trade, and the execution of the regulations adopted for that purpose. Lord Grenville, in pursuance of these resolutions, on the 2d of January, had brought into the house of peers a bill for abolishing the slave trade. And, on the second reading of the bill, an address to the King was moved by Lord Hawkesbury, “that he would be pleased to order to be laid before the house, copies of all communications which had passed between his Majesty and foreign powers on that subject. The report of the bill being brought up on the 9th of February, his lordship stated, that it had been thought advisable to fix the same period to all the clauses of the bill for the abolition,

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namely, the 1st of May: and to introduce a proviso, allowing vessels which had cleared out for Africa previously to that day, to complete their cargoes, and trade with them to the West Indies, and other parts of America, until the 1st of January, 1808, at which period the trade should be finally abolished. These amendments were agreed to. This bill was opposed by Lord Redesdale and the Earl of St. Vincent. The former wished the abolition to be gradual and general, while the latter affirmed the consequences would prove fatal to the interests of this country: for, as soon as France could make peace with Great Britain, her first object would be to get complete possession of an engine that would work the downfall of the naval superiority of this kingdom. The bill was read a third time, passed, and sent to the commons to obtain the assent of that house.

An interesting discussion took place in the house of commons on this important question. Counsel was heard, and evidence produced against the abolition. The bill, with some amendments agreed to by the lords, however, passed on the 16th of March, and, on the 25th, it was approved and signed by his Majesty.

Thus was this infamous traffic on the eve of annihilation. Time has not yet proved the predictions of those who contended against the measure of abolition. On the contrary, it has

contributed to the security and prosperity of
our West India islands, without affecting the
interests of individuals, or the public revenue.

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But even were these points doubtful, justice and
humanity imperiously demanded the abolition
of the slave trade. And, whatever might be its
consequences in respect to commerce and poli-
tical influence, such should, in sound reasoning
with Englishmen, never be put in competition
with the natural and indubitable claims of man
on man.

CHAPTER XXVI.

*Continuation of the History of Parliament in the Reign of
George the Third.*

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ON the 19th of February, Mr. Whitbread moved for leave to bring in a bill “for promoting and encouraging industry among the labouring classes of the community, and the relief and regulation of the necessitous poor.” The principles on which he wished to effect this desirable object were, to give the labourer consequence in his own eyes, and in those of his fellows. To make him a fit companion for himself, and fit to associate with civilized men. For this purpose he proposed a general system of national education, by the establishments of parochial schools; not compulsory on the poor, which would destroy its object, but voluntary. Leave was given, and a committee appointed to prepare and bring in the bill; which was presented to the house on the 23d, read a second time, ordered to be printed, and then to be sent to the quarter sessions in the several counties, for the consideration of the justices, who were instructed to give their opinions. But the progress of this wise and salutary measure was

prevented by a dissolution of parliament, and concomitant change of administration. It was, with amendments, brought several times under the consideration of the house of commons; but, on the motion of Lord Hawkesbury, was thrown out of the house of peers.

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Lord Howick, on the 5th of March, in pursuance of previous notice, moved for leave to bring in a bill for securing to all his Majesty's subjects, the privilege of serving in the army or navy, upon their taking an oath, prescribed by act of parliament, and for leaving to them, as far as conveniences would permit, the free exercise of their respective religions. The bill in question did not, indeed, hold out any encouragement to the catholics; it did not establish any institution for their support or increase. But the abolition of restrictions in point of rank, would place before the sons of the gentry of Ireland the fair objects of ambition, and open to them that career of glory, the pursuit of which is synonymous with the advancement of the best interests of the empire.

The serious attention of the house, and of the public, was invoked by Mr. Perceval to the subject of the proposed measure, which he declared to be the most dangerous that had ever been submitted to the judgment of the legislature. "It tended," he asserted, "to abolish all the tests which the wisdom of our ancestors had

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thought necessary to interpose in defence of our religious establishment." The objections made to the principles of the bill, by Mr. Perceval, were justly deemed groundless and fantastical. The changes in the ministry which took place shortly after the first reading, were the sole cause which prevented the measure, proposed by Lord Howick, from being passed into a law.

It will be recollected that a committee had been appointed to examine and consider what regulations had been established to control the several branches of the public expenditure, and to inquire what saving might be made of useless and sinecure places, by the reduction of exorbitant fees, and by other modes of retrenchment. Mr. Bankes, the chairman, being directed by the committee, moved the following resolution: "That no office, place, employment, or salary, in any part of his Majesty's dominions, ought hereafter to be granted in reversion." Mr. Charles Yorke opposed the resolution, because granting of offices in reversion, had been a power in the hands of the crown for the purpose of rewarding services; and it was a maxim with him not to change established usages, without some strong reason for it.

In the formation of the new administration, Mr. Perceval was to occupy the situation of chancellor of the exchequer, and in order to tempt him to take a place in the new govern-

ment, he was to have the chancellorship of the duchy of Lancaster bestowed on him for life. The present administration had shewn every disposition to benefit the country by their judicious measures, and avoiding the practice of former administrations, of granting reversions, they had done every thing in their power towards their abolition. If men of great talents are not satisfied with the rewards attached to the situations to which they are appointed, they ought not to accept of office at all ; and the measure of giving a man an office for life, in order to entice him to occupy another which may be more fleeting and temporary, is not only unconstitutional, but affords a precedent which succeeding weak administrations may follow to the disadvantage of the public welfare. Mr. Bankes's motion, after some conversation, was carried.

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Mr. H. Martin, in order to counteract a system so mischievous, moved an address to the King, that he would be pleased not to grant any place, in the duchy of Lancaster or elsewhere, which had hitherto been held during his Majesty's pleasure. This motion was after a strong debate agreed to by a majority of 218 against 115.

Lord Grenville in the house of peers, and Lord Howick, in the house of commons, detailed, on the 26th of March, the circumstances which had occasioned the late changes in his Majesty's councils ; and stated, at great length,

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the principles on which they were friends to the bill for granting relief to the catholics and other dissenters. In the year 1778, a law passed in Ireland to enable the protestant dissenters of that country to hold employment of any kind, civil as well as military, without any restriction. Here the law was quite different. No dissenter could hold a situation without taking the sacramental test within a certain time. The Irish law of 1793 admits the catholics to any rank in the army not above that of a colonel ; and it was asked whether it was the intention of government merely to pass the law promised in 1793, or whether it was intended to allow the catholics to rise to all military offices, including the staff. Mr. Elliot, the Irish secretary, was directed to give a decided answer in the affirmative ; and the dispatch containing this authority was laid before his Majesty, previous to its being forwarded to Ireland, who returned it without any objection or comment. Doubts, however, as to the extent of the measure had been entertained by some of the members of the cabinet, who at last fully objected to it in the strongest terms, and his Majesty being apprized that the measure was of far greater extent than he had conceived it to be, expressed to Lord Grenville his decided objection. The ministers then endeavoured to modify the bill, without destroying the vital essence of the

measure. Failing in this attempt, they determined to drop the bill altogether, but at the same time, in vindication of their own character, to insert, in the proceedings of the cabinet, a minute, reserving to Lord Grenville and Lord Howick the liberty of delivering their opinions in favor of the catholic question, and that of submitting this question, or any other connected with it, from time to time, according to circumstances, to his Majesty's decision. But the ministers were called upon, not only to withdraw the latter reservation, but to substitute a written obligation, pledging themselves never again to bring forward the measure they had abandoned, nor ever to propose any thing connected with the catholic question. To this they found it impossible to assent. They could not fetter themselves by a written engagement, inconsistent with what they might conceive to be their duty, which, even by their oaths, they were bound to perform. The two leading ministers having communicated to the King their sentiments on this subject, they received, the next day, an intimation from his Majesty, that he must look out for other ministers.

Both houses adjourned to the 8th of April. The other measures adopted or brought under the consideration of parliament, during what we must now call the late administration, were of less general operation and influence than

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those of which some account has been given, and related more, or at least more immediately to the interests of individuals, or of classes of people, than to those of the empire at large. Parliament met on the 8th of April pursuant to adjournment. The arrangement of the new ministry was now completed. The Duke of Portland was made first lord of the treasury in the room of Lord Grenville; Lord Mulgrave succeeded Mr. Grenville as first lord of the admiralty; and the Earl of Chatham superseded the Earl of Moira as master-general of the ordnance. Lord Hawkesbury, Mr. Canning, and Lord Castlereagh filled the offices of secretaries of state for the home, foreign, and war departments, in the place of Earl Spencer, Lord Howick, and Mr. Windham. Mr. Perceval became chancellor and under treasurer of the exchequer in the room of Lord Henry Petty. Sir James Pulteney became secretary at war, and Mr. Rose treasurer of the navy in the place of General Fitzpatrick, and Mr. Sheridan. Lord Eldon was appointed lord chancellor, and Sir Vicary Gibbs and Sir Thomas Plomer attorney and solicitor generals.

His Majesty's answer to the address moved for by Mr. Martin, praying him not to grant any office during life, not usually so granted, was delivered to the house, in which he acquainted the commons, that he would take the

subject into his serious consideration, but thought it proper at the same time to inform them, that he had thought fit to provide, that, in a grant then to be made of the office of chancellor of the duchy of Lancaster, the office shall be conferred only during pleasure.

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The subject that chiefly occupied the time, and interested the minds and passions of men for the short remainder of the parliament, was the change of administration, the consideration of which drew into debate what had been so often and so warmly agitated, the Catholic question. In the house of commons, on the 9th of April, Mr. Brand, after an introductory speech, in which he quoted the judgment of Lord Coke respecting the duty of a privy counsellor, moved, "That it was contrary to the first duties of the confidential servants of the crown, to restrain themselves by any pledge, express or implied, from offering to the King any advice that the course of circumstances might render necessary for the welfare and security of any part of his Majesty's extensive empire."

It was observed, that the responsibility of the ministers was the security of the privileges of the country, and if such a pledge had been given as had been required, it would have made the King absolute, and removed that responsibility. It was a question which involved most import-

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ant and constitutional doctrines, and was equally interesting to the Sovereign as to any of his subjects. That the King can do no wrong, is understood to be a maxim in which the security of the public, and that of the honor and dignity of the crown were united, and on which these points materially depend. For by this sort of pledge, the whole nature of the responsibility of state affairs would be taken away. There would be no security against the most traitorous intentions of irresponsible advisers, for ministers would not be answerable, and could not be responsible for advice they did not give. It is of the greatest importance to his Majesty that the doctrine of responsible advisers should be strictly maintained. History had unfolded the evils resulting from the prevalence of a contrary principle, and this circumstance became the more alarming, when the new chancellor of the exchequer gave it as his opinion there were cases wherein the King acted without any advice whatever.

Mr. Osborne, being entirely of the same opinion with Mr. Wharton and others who opposed the motion of Mr. Brand, endeavoured to get rid of the question, by moving the order of the day. A long desultory debate ensued, in which the claims of the Irish Catholics were ably advocated by Mr. Grattan. On the question being called for, the house divided on Mr. Osborne's

amendment. The result was 258 for the amendment, and 226 for the original motion leaving a majority of twenty-two for ministers. A similar motion to Mr. Brand's was made in the house of lords by the Marquis of Stafford on the 13th of April.

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The same subject was again introduced into the house of commons on the 15th of April, by Mr. W. H. Lyttleton, who, after stating his reasons why he thought it necessary the house should express its approbation of the conduct of the late ministers, moved the resolution, "That the house considering a firm and efficient administration as indispensably necessary, in the present important crisis of public affairs, had seen, with the deepest regret, the late change in his Majesty's councils." Amongst the most impressive speeches in support of the motion was that of Sir John Newport. Independent of a variety of remarks, he observed, that when the late administration directed their attention to an amelioration of the system of education in Ireland, the first act of necessity, was to inquire into the state of those funds, which had been grossly misapplied. He charged Lord Castlereagh with having known and suffered those funds, which were intended for the support of a system of national education, to have been perverted for purposes of personal aggrandizement, and for the furtherance of the most

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criminal views. The evils of the misapplication were lamentably felt in the decline and degradation of those establishments, for the uses of which these funds were originally appropriated. These funds were absorbed in private expenditure, calculated on as parts of the family estate, and bequeathed to the descendants as parts of the patrimonial inheritance. Of these charges, heavy as they were, Lord Castlereagh did not take the smallest notice, thereby tacitly acquiescing in the truth of the statement.

On the house dividing, there were for passing the order of the day, 244, and against it, 198, leaving a majority of 46.

The Scotch judicature bill, which had been introduced by Lord Grenville, for the better regulating the courts of justice in Scotland, had undergone several alterations, but fell to the ground, through the sudden prorogation of parliament.

The court of session is formed very much on the mode of the ancient parliament of Paris. Causes may be brought over and over again under the consideration of the judges, whose decisions are not so tightly bound down as in England by rules and precedents, but by abstract reasoning. And the great number of judges, with the debates and alterations which this occasions, instead of alleviating, only increase the weight of business, and render it

more cumbrous and tedious. There is also in Scotland no trial by jury, except in criminal cases. Concerning the introduction of juries in civil trial, there was a difference of opinion, though it was generally admitted, that it would be a very desirable improvement in certain cases, and in certain cases only.

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On the 27th of April, the parliament was prorogued by commission. The commissioners had it also in charge to state, that his Majesty was anxious to recur to the sense of his people, while the events which had recently taken place, were yet fresh in their recollection.

In the general elections that followed the dissolution of the short parliament, the progress of public opinion seemed to have, in a great measure, superseded the influence of faction and party. The people appeared to have lost all confidence in either of the parties, a circumstance fraught with many remote, if not speedy, consequences. Sir Francis Burdett and Lord Cochrane became popular by disclaiming all attachment to parties or factions, and declaring their wishes to overturn abuses, and nothing but abuses; to look only to the measures of men, and not to their persons and connexions. Their election at Westminster was a complete triumph over aristocratical collusion, and all parties and fac-

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tions whatever. These two men were not unworthy of being so honorably and so singularly distinguished. The matured talents of Sir Francis Burdett, his acute understanding, prompt eloquence, and manly sense, without regard to his own personal interest, but uniformly employed for the good of his country and mankind, reached above calumny and detraction, and had procured him a reputation not to be tarnished by any of the surmises concerning the danger of sudden reform. Lord Cochrane had risen to eminence in his profession as a naval officer, nor has his political courage, and the purity of his views, shone forth less conspicuous, whether in his harangues to the people, or his parliamentary speeches and conduct, than his intrepidity has done on the bosom of the ocean, or the shores of the enemy.

The new parliament was opened on the 22d of June, when Mr. Abbott was re-elected speaker of the house of commons. The day appointed for the delivery of the King's speech to both houses was on the 26th. The speech from the throne was delivered in his Majesty's name, by Lord Eldon, one of the commissioners, and, as usual, turned on the several topics to be brought under the consideration of parliament. The address, in answer, in the usual strain of assent and approbation, was

moved and carried in both houses. In the course of the debate Lord Cochrane took an early opportunity of giving a public pledge of his regard for the public welfare. He expressed a hope, that as each party charged the other with making jobs, with a view to influence the election, the conduct of both should be inquired into. He hoped some third party would arise which would keep aloof from selfish interests and sinecure places. He would not support either of the present parties, unless they acted upon principles different from those by which they appeared to be guided.

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The first object of importance in the house of commons was the appointment of a new committee of finance. Accordingly, on the 30th of June, the chancellor of the exchequer, pursuant to his notice, in consequence of the general sense of the house, and in obedience to the recommendation in the King's speech, for the renewal of those inquiries that had been interrupted by the late dissolution of parliament, moved for the renewal of the finance committee. The members were proposed by Mr. Perceval, and approved by the house, and were ordered to proceed on their inquiries immediately, and to report from time to time.

On the 3rd of July the house resolved itself into a committee of supply. The navy estimates were the same, with very little variation,

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as the last, and it was calculated that the sum which had already been proposed would cover all the additional expense on the army estimates for the part of the year now to come. A treaty had been entered into with the King of Sweden for subsidizing £18,000. The sum of £80,000 had been advanced by the late ministers for the relief of the King of Prussia. In addition to this the present ministers had advanced a further sum of £100,000, and assistance in arms, ammunition, &c., to the amount of £200,000. These sums, namely, that which would be necessary for fulfilling the subsidiary engagement to the King of Sweden, and the three hundred thousand pounds to the King of Prussia were, in consequence of a message from the King, made good by a vote of the house of commons.

On the 1st of August, a vote of credit was agreed to £4,500,000 for Great Britain, and £500,000 for Ireland, being, in all, £700,000 more than that proposed by Lord Henry Petty. Of these sums, £800,000 were appropriated for making up the last year's subsidies to foreign powers.

Lord Castlereagh proposed a new military plan, by which the regular army was to be increased from the militia, and to supply the deficiencies occasioned by so great a transfer from the militia regiments to the regular army,

by supplementary militia. By this plan, he said, 38,000, at least, would be added to the gross military force of the country, and 28,000 to the regular army. He therefore intended to move for leave to bring in two bills; one for transferring a portion of the militia to the line; and another for raising a number of men for the militia: and that it would be, unquestionably, advisable, to give to the militia enlisting in the line, the option of a limited or unlimited term of service, of course, with an increased bounty to the latter. Long and animated debates ensued at different times; at length, leave was given to bring in the bills, which were read a third time on the 3rd of August, and passed.

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Leave was given to Sir A. Wellesley to bring in a bill for the suppression of insurrection in Ireland, and to prevent the disturbance of the peace in that country. By this bill, it was proposed, to grant power to the lord lieutenant to proclaim disturbed counties, and give authority to magistrates to arrest persons who should be found out of their dwellings between sun-set and sun-rise, who were to be tried at the quarter-sessions by the magistrates, assisted by a king's counsel. Besides, he meant to bring in another bill to prevent improper persons keeping arms, by obliging all persons to register them, and authorizing the magistrates to search

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for arms. These bills, at last, though not without much opposition, passed into a law.

Lord Cochrane, on the 7th of July, moved for a committee to inquire and report what places, salaries, and emoluments, derived from the public, were held by members of parliament, their wives, or other dependents, or others in trust for them, in possession or reversion, throughout the whole of his Majesty's dominions. An amendment to this was proposed by Mr. Perceval, that a list of all places, pensions, &c., specifying by whom held, with the exception of the army and navy, and offices below £200 a year in the revenue, should be procured by the committee of public expenditure, and the list to be laid on the table, which was carried by a great majority.

In the house of lords, August the 4th, the order of the day being read for the second reading of the bill for preventing the granting of offices in reversion, the house divided on a motion for reading the bill a second time that day three months, which was carried by a majority of six. The bill was therefore lost; but in the house of commons, on the 10th of August, Mr. Bankes moved for an address to his Majesty, that he would be pleased not to grant any office in reversion until six weeks after the meeting of the next session of parliament, adding, by way of notice, that early in

that session he would move for leave to bring in a bill similar to the one which had been lost, that the house of commons at least might have an opportunity of unequivocally shewing its own opinion. After much conversation the question was put on Mr. Bankes's motion, which was carried unanimously. On the 14th of August, parliament was prorogued by commission to the 24th of September.

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Owing to further prorogations, however, the imperial parliament was not assembled till January 21, 1808, when the speech from the throne, delivered by commission, turned, as usual, on the great public questions that were then to be discussed; the most important of which were the expedition to Copenhagen, our relations with Russia, Austria, and Sweden, the departure of the royal family of Portugal for the Brazils, and the orders in council respecting neutral commerce.

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In the house of peers, the address in answer to his Majesty's speech was moved by the Earl of Galloway, who recapitulated, with great approbation, its most prominent features. The Duke of Norfolk moved, that the clause respecting the expedition to the Baltic should be omitted, and this amendment was seconded by Lord Viscount Sidmouth. His grace's motion, and another amendment by Lord Grenville, declaratory of the opinion of the house, that it

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would neither be respectful to his Majesty, nor becoming the dignity of the house, to give an opinion as to the propriety of rejecting the Russian mediation, till the papers relative to that question were before their lordships, were both negatived without a division, and the address agreed to.

In the house of commons, Lord Hamilton, in a maiden speech, moved the address, which was seconded by Mr. C. Ellis, which after some animated observations by Mr. Ponsonby, Mr. Whitbread, &c. was carried without a division.

A vote of thanks to the officers employed in the attack of Copenhagen, was moved in the house of lords by Lord Hawkesbury, January 28, and carried; a similar motion was made in the house of commons by Lord Castlereagh, which was opposed by Mr. Windham and Mr. Brand, but supported by the chancellor of the exchequer, and on a division of the house, carried by a majority of 81.

Mr. Ponsonby, pursuant to notice of a motion respecting the expedition to Copenhagen; in a long and animated speech, February 3, stated his reasons for the same. His first motion was, "that an humble address be presented to his Majesty, that he would be graciously pleased to cause to be laid before the house, the substance and dates of their information, sent by our ministers at Copenhagen, relative to the

naval force of Denmark, and the measures taken to augment that force." The motion was supported by Mr. Windham and Mr. Whitbread; and opposed by Mr. Canning, Mr. Milnes, Lord Levison Gower, Lord Castlereagh, &c. On a division there appeared for it 108, against it 253.

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On the 8th, the Duke of Norfolk made a similar motion in the house of lords, which was supported by Lord Hutchinson, Lord Erskine, Lord Buckinghamshire, the Earl of Moira, the Earl of Jersey, the Earl of St. Vincent, Earl Grey, Lord Darnley, and Lord Sidmouth. It was opposed by the Marquis of Wellesley, Lord Boringdon, Lord Harrowby, Lord Limerick, Lord Hawkesbury, and Lord Mulgrave. For the motion 48, against it 105. On the 11th, a resolution was moved by Lord Sidmouth, for preserving the Danish fleet in such a state that it might be eventually restored to Denmark, which, after a long debate, was negatived.

The subject was revived at different periods in both houses; in the house of commons Mr. Sheridan moved for the correspondence which passed after the capitulation of Copenhagen, between his Majesty's ministers and the court of Stockholm, relative to the retaining possession of the island of Zealand, by a Swedish army, in concert with his Majesty's forces. The motion was supported by Mr. Windham, Mr. Pon-

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sonby, &c., but opposed by Mr. Canning, and negatived. In the house of lords, the Earl of Darnley moved for an address to his Majesty, stating, that there was no necessity for the expedition against Copenhagen, which motion was also negatived. An address to his Majesty of an opposite nature was then moved by Lord Elliot, and carried. Mr. Sharp brought the Baltic expedition again into discussion in the house of commons, and a motion for an address to his Majesty to the same effect as that of Lord Darnley's in the upper house, produced a violent debate, and met with a similar fate. A motion by Lord Folkstone, of the same tenor as Lord Sidmouth's, respecting the Danish navy, was negatived, as were also resolutions moved by Lord Sidmouth in the house of lords, respecting the ships detained in our harbours previously to hostilities.

On February 29, Mr. Whitbread, after reviewing the information then before the house, made a motion for entering immediately into a negotiation for peace, which having been opposed by Mr. Ponsonby, Mr. Wilberforce, Lord Milton, and Mr. Canning, and supported by Mr. J. W. Ward and Mr. Sheridan, was negatived. On the 20th of May, Mr. Taylor moved his promised resolutions, respecting the expedition to the Dardanelles; but the expedition having been defended by Mr. T. Grenville, though censured by Mr.

Canning, the previous question was put and carried.

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In consequence of the decrees of the Emperor of the French, declaring the whole island of Great Britain to be in a state of blockade, a protecting and self-defensive system was interposed by our orders in council, and trade again began to flourish : yet no measure of administration was, during the present session discussed, which occupied so great a portion of the time and attention of parliament, or occasioned such keen and pertinacious debate, the Baltic expedition alone, perhaps, excepted. The chancellor of the exchequer having moved, that the orders of his Majesty in council respecting neutral trade be referred to the committee of ways and means, Lord H. Petty declared his doubts of the legality of those orders, which he considered a violation of *magna charta*. Mr. Perceval, however, maintained, that the late orders in council were founded on the same principle as the order of January 7, 1807, issued by the late ministers, with this difference only, that they were more efficient. Reiterated debates ensued in both houses, concerning the justice, legality, and policy of the measure, which terminated in favour of its adoption.

In bringing forward the budget this session, a new plan was suggested by the chancellor of the exchequer, of exchanging stock in the

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public funds for annuities for life. Mr. Windham was afraid that too many parents would be found who would be very willing to sacrifice the future interests of their children to their own immediate gratification. Sir John Newport deprecated the holding out any inducements to the lower classes to speculate in annuities. Mr. Huskinson defended the plan, and the Chancellor of the Exchequer observed that a parent could purchase an annuity for his child, or for his widow, if the circumstances of his property would not admit of any other provision. Notwithstanding the objections which were afterwards urged against the plan by Mr. Tierney and Lord H. Petty, the resolutions were agreed to, and carried into effect by acts of parliament.

A bill was brought this session into the house of commons by Sir Samuel Romilly, for amending the criminal law respecting private stealing, in contradistinction to robbery, which passed that house.

After passing several acts, and thus terminating for that session the public business, Mr. Sheridan on the 15th of June, called the attention of the legislature to the affairs of Spain.—“I am far,” said he, “from wishing ministers to embark in any rash or romantic enterprize in favor of Spain, but if the enthusiasm and animation which now exist in a part of

Spain, should spread over the whole of that country, I am convinced that since the first burst of the French revolution, there never existed so happy an opportunity for Great Britain to strike a bold stroke for the rescue of the world."

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Mr. Secretary Canning declared, that his Majesty's ministers saw with a deep and lively interest the noble struggle which a part of the Spanish nation was then making to resist the unexampled atrocity of France, and to preserve the independence of their country; and that there existed the strongest disposition on the part of the British government to afford every practicable aid in a contest so magnanimous. Mr. Sheridan said, that his only object was to awaken the country to the opportunity which might lead to the rescue of Europe, and to the release of oppressed countries from the grasp of a ruthless conqueror. He withdrew the motion he intended to make on the subject, convinced that much benefit would accrue from the mere discussion. The same interesting topic was introduced into the house of peers on the 30th of June, by the Duke of Norfolk, and, on July 4, parliament was prorogued to the 20th of August.

Having been further prorogued, parliament met on the 13th of January, 1809, when the speech from the throne stated to the lords and

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commons, the reason that had determined his Majesty to reject certain proposals, which were directed to be laid before both houses, for a negotiation with the governments of Russia and of France. It had been required that his Majesty should consent to commence the negotiation by abandoning the cause of Spain, which he had so recently and solemnly espoused. His Majesty continued to receive from the Spanish government the strongest assurances of their determined perseverance in the cause of the legitimate monarchy, and of the national independence of Spain; and so long as the people of Spain should remain true to themselves, his Majesty would continue to them his most strenuous assistance and support.

An address in answer was moved in the house of lords by the Earl of Bridgewater, and seconded by Lord Sheffield, but vehemently opposed by the Earl of St. Vincent, who expatiated on the impolicy of sending British troops to Portugal, and the delay that was occasioned in sending men from thence towards Spain. Some parts of the address were approved and some disapproved by different speakers; as far as it related to the affairs of Portugal and Spain, several animadversions were made by the Earl of Grosvenor, Lord Grenville, the Earl of Moira, and the Earl of Buckhamshire. Being defended by the Earl of Liverpool, the address was agreed to.

The address to his Majesty having been moved in the house of commons by the Hon. Mr. F. Robinson, and seconded by Mr. F. B. Lushington, Mr. Ponsonby, though he did not oppose it, in a very eloquent speech took a review of the proceedings of ministers, and expressed his disapprobation of the whole. "He had no desire" he said, "to disturb the unanimity of the house on the present occasion, but thought it his duty to state distinctly his sentiments on the various topics to which he had adverted, and for the full discussion of which, other opportunities would arise. These topics were the disgraceful convention of Cintra, the conduct of ministers with regard to the Spanish war, and also their conduct with respect to America." The address was defended in all its parts by Lord Castlereagh, and agreed to.

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The Earl of Liverpool having, in pursuance of notice, moved the thanks of the house of lords to Lieut. Gen. Sir A. Wellesley, for the skill and ability displayed by him in the battle of Vimiera, the Earl of Moira could not consent that the name of Sir H. Burrard should be omitted in the vote of thanks, as he considered the conduct of Sir Harry to have been judicious. He, therefore, moved an amendment for the purpose of having his name inserted. Different opinions were expressed relative to the question—Why should not the commander-in-chief,

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XXVI. and the motion for thanks to Sir A. Wellesley,
1809. was at length agreed to.

The same question was agitated in the house of commons, when Lord Castlereagh made a motion for the thanks of the house to Sir A. Wellesley, and the officers and men under his command, for the brilliant victory they had achieved in the battle of Vimiera. Lord Folkestone thought great praise was due to Sir H. Burrard for the part he had acted, and he objected to a vote of thanks for the battle of Vimiera. Mr. Whitbread thought Sir H. Burrard's name should be included, and he, therefore, made a motion for that purpose; but after some observations from Mr. W. Adam, he withdrew his motion, retaining, however, the opinion he had already expressed, that Sir H. Burrard was entitled to the thanks of the house. The resolution for a vote of thanks to Sir A. Wellesley, was then put and carried. Thanks were also voted to the other officers.

On the same day, in the house of lords, the Earl of Liverpool, after a handsome eulogium on Sir John Moore, who had in consequence received his death wound, moved the thanks of the house for the defeat before Corunna. The Earl of Moira, in giving his concurrence, could not avoid asking ministers, "how it had happened that so heavy and lamentable a loss

as that of Sir John Moore, and so great a proportion of his army, had been sustained, without any one object having been obtained, except the embarkation of the army? British blood and treasure, and the invaluable lives of British officers and soldiers had been sacrificed for no purpose! To what but the ignorance and incapacity of ministers were all these calamities to be attributed?" Lord Erskine could not refrain from expressing his indignation at such men, and that such resources as ours should have been utterly thrown away and lost by the total incapacity of those who had mis-directed their efforts. Lord Grenville observed that they were called upon to vote thanks for a success, followed by a retreat; the success belonged to the army and its commanders; the retreat to those who sent them, and placed them in such a situation that a safe retreat was the only thing that could be looked for. After some observations from the Earl of Westmorland in favour of ministers, the motion was agreed to *nem. diss.* as was also another of thanks to the other officers concerned therein. Thanks to the same parties were likewise voted in the house of commons.

Lord H. Petty, in pursuance of the notice he had given on the second day of the session, took an early opportunity of calling the attention of the house of commons to the termination of the campaign in Portugal by the convention of

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Cintra. After several animadversions on the subject, he said, in conclusion, "If the glory of our armies be rendered unavailable by the weakness of our councils, if valour in the field be defeated by incapacity in the cabinet, let us at least discriminate. With this view I shall propose, with deference to the house, the adoption of resolutions intended to record a most important commentary on the past, and to present a most instructive lesson for the future." The first resolution was, "That the convention concluded at Cintra, on the 30th of August, 1808, and the maritime convention concluded off the Tagus, on the 3d of September, 1808, appear to the house to have disappointed the hopes and expectations of the country." The second was, "That the causes and circumstances which immediately led to the conclusion of those conventions, appear to the house, in a great measure, to have arisen from the misconduct and neglect of his Majesty's ministers."

The motion was opposed by Lord Castlereagh, by whom the conduct of ministry was explained and defended. It was, however, supported by Gen. Tarleton, who thought he could convince the honorable officer himself, (Sir A. Wellesley,) that there was something rash in the action of the 17th of August, and something wrong in that of the 21st.

Sir A. Wellesley having explained his views

and motives of action throughout the expedition to Portugal, Mr. Windham thought that the honourable general's statement, though proper for him to make, and satisfactory for his justification, was no justification of his Majesty's ministers. A number of other speakers followed Mr. Windham, and upon a division of the house, there appeared, for the previous question, 203, being a majority of 50 against Lord H. Petty's motion.

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The campaign in Spain, on which so many strictures had been already made incidentally in both houses of parliament, was formally brought under the consideration of the house of commons, by Mr. Ponsonby, February 24th, who, after a long, elaborate, and well-composed speech, taking a view of the state of Europe when the Spanish nation rose in arms for resisting the attempts of France and of the spirit which was excited by that event in the country in favor of the Spaniards, concluded by moving "That it be indispensably necessary that this house should inquire into the causes, conduct, and events of the late campaign in Spain." This motion, which was supported by Mr. Windham, but opposed by Lord Castlereagh, Mr. Canning, and others, was negatived. It was remarked, when Mr. Windham sat down, the eyes of both sides of the house were turned on Mr. Secretary Canning, and Mr. Ponsonby, in

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his reply, observed, that Mr. Canning thought proper to pass over his speech in silence, for he had not replied to one of his arguments, nor yet to those of his right honourable friend Mr. Windham. Mr. Ponsonby, therefore, supposed, that Mr. Canning had prepared his speech before he had heard the arguments of either.

The house having resolved itself into a committee of ways and means on the 12th of May, the number of seamen that had been voted for this year was the same as that for the preceding year, viz., 130,000, including 31,400 marines. The estimates, too, for the number of seamen and marines, were precisely the same in amount with those of the year 1808, though it had been thought desirable to make some alterations in the comparative amount of some of the branches. The army estimates, too, were nearly the same, with the exception of £200,000 arising from the actual increase of the establishment.

By the tenth report of the commissioners of naval revision, abuses were brought to light which occasioned severe animadversions from Sir C. Pole, who made a motion on the subject which was negatived. Enormous abuses and frauds also appeared from the reports of the commissioners of military inquiry, though no resolutions were then moved in parliament on the subject. Early, however, in 1809, an attack was made on the royal commander-in-chief, which

led to an inquiry into the conduct of his Royal Highness the Duke of York. This business, which engrossed much of the public attention, was introduced into the house of commons by Colonel Wardle, who, after the strongest declaration of the purity and patriotism of his motives, stated, that the conviction of his mind was, and for some time had been, that unless the system of corruption which had so long prevailed in the military department should be done away, this country might fall an easy prey to the enemy. The first point in the case he had to state, related to the half-pay fund, which was an establishment under the direction of the commander-in-chief. This fund arose out of the sale of commissions, vacant by death—by the promotion of officers not allowed to sell—or by dismissions from the service. The power of the commander-in-chief over this fund, was constituted and intended for the reward of merit, either by the appointment of meritorious officers to the commissions which so became vacant, or by selling them and applying the produce of such sales to the redemption of half-pay commissions or to the compassionate fund. Here the power of the commander-in-chief over such produce ceased. If the commissions he had described were otherwise disposed of, the authority vested in the commander-in-chief was abused, and the objects of the half-pay fund abandoned.

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For the purpose of proving this it was necessary to call the attention of the house to another establishment of the commander-in-chief, which consisted of a splendid house in Gloucester-place, a variety of carriages, and a long retinue of servants, commenced in the year 1803, and at the head of it was placed a lady of the name of Clarke.

The first case to which Colonel Wardle called the attention of the house, was that of Captain Tonyn of the 48th regiment of foot, who had been promoted to a majority in the 31st regiment, for which promotion he was indebted to the influence of Mrs. Clarke. The terms of agreement were, that Mrs. Clarke should be paid £500 upon Captain Tonyn's being gazetted; which took place August 2d, 1804. Colonel Wardle observed that the regulated difference between a company and a majority was £1,100.

The second case related to exchanges. On July 25, 1805, an exchange was concluded between Lieutenant Colonel Brooke of the 56th regiment of infantry, and Lieutenant Colonel Knight of the 5th dragoon guards, through the influence of Mrs. Clarke, for which she received £200.

Another case Colonel Wardle had to adduce, related to Major Shaw, of Colonel Champagne's Ceylon regiment. Major Shaw was appointed deputy barrack master of the Cape of Good

Hope, April 3, 1806. It was known that this officer by no means enjoyed the favour of the Duke of York ; that in fact his Royal Highness entertained some prejudice against him. But these obstacles Mrs. Clarke readily undertook to overcome ; and it was agreed to pay her £1000 for the major's appointment. The appointment was therefore made, and the major himself paid Mrs. Clarke £300. Soon after, £200 more was sent to Mrs. Clarke by Major Shaw's uncle. The remaining sum of £500 was never paid ; which so enraged Mrs. Clarke, that out of revenge she complained to the commander-in-chief of Mr. Shaw's breach of contract, and the consequence was, that the major was soon after put upon half-pay. This case was the only instance Colonel Wardle could find of such an officer being reduced to half-pay.

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The next, Colonel Wardle styled the very novel case of Colonel French and his levy. This officer was, through the influence of Mrs. Clarke, appointed by the commander-in-chief to conduct a levy in the years 1804-5. The colonel was introduced to Mrs. Clarke by Captain Huxley Sandon, and the condition upon which he obtained the appointment was, that Mrs. Clarke should have one guinea out of the bounty of each man raised, together with the sale or patronage of a certain number of the

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commissions. The agreement being concluded, it was communicated to, and approved of by, the commander-in-chief. Colonel French was accordingly sent by Mrs. Clarke to the Horse Guards, and, after many interviews, the levy was set on foot. As the levy proceeded, Mrs. Clarke received several sums of money from Colonel French, Captain Huxley Sandon, and a Mr. Corri. She also received £500 from a Mr. Cockayne, Captain Huxley Sandon's friend. All the sums thus received by Mrs. Clarke were infinitely below the regulated prices.

Captain Maling was appointed to an ensigncy in the 87th regiment, November 28, 1805; to a lieutenancy in the same regiment, November 26, 1806; and to a captaincy in the Royal African corps, under the command of the Duke of York's own secretary, Colonel Gordon, September 15, 1808. This gentleman's promotion was effected through the influence of the favourite agent, Mr. Greenwood, in whose office Mr. Maling was a clerk, remaining at his desk while advanced in the army by such an extravagant course.—Mr. Maling had also, while so promoted, some appointment of a pay-master in Ireland;—a course which interfered with the interests, that superseded the rights, of many meritorious officers who had long served in the army. “The house must be astonished,” added

the honourable speaker, "at the corruption of the times, when told there was at that moment a public office in the city for the sale of commissions at the same reduced scale as that of Mrs. Clarke; and that the managers of that office stated, in his presence, that they were the agents of the present favourite mistress, Mrs. Carey."

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There were a few other points of less importance that were brought forward. Mrs. Clarke had stated, that Samuel Carter was her foot-boy, and went behind her carriage. He entered the army direct from her service. Mr. Dowler had stated, that Mrs. Clarke had first suggested to him, that she could procure him a situation in the commissary department, which he accordingly obtained, without taking any steps to expedite the business, and for which he paid Mrs. Clarke £1,000. After mentioning some other trifling cases, Colonel Wardle concluded with moving "for the appointment of a committee, to investigate the conduct of his Royal Highness the Duke of York, the commander-in-chief, with regard to promotions, exchanges, and appointments to commissions in the army, and in raising levies for the army." The motion was seconded by Sir F. Burdett.

The secretary at war, Mr. Yorke, the chancellor of the exchequer, &c., concurred, that as the accusation brought forward against the

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commander-in-chief was solemn and serious, a solemn and serious inquiry was necessary, in order to vindicate his Royal Highness.

During this inquiry, which was continued without intermission for seven weeks, it was proved, beyond a possibility of doubt, that persons had paid, or promised to pay, Mrs. Clarke sums of money for promotions, or other appointments, but the proof of his Royal Highness's knowledge of those proceedings, and of his sharing in the returns, depended only on the evidence of that lady. On the day after the examination of witnesses was closed, February 23d, the speaker informed the house that he had received a letter, addressed to himself, from his Royal Highness the Duke of York, dated "Horse Guards, February 23, 1809." There being a general exclamation of "Read! read!" the speaker accordingly read it. In this letter his Royal Highness denied all knowledge of the criminal and disgraceful transactions which were revealed to the house.

Mrs. Clarke, the principal evidence, and as it were the heroine of the accusing party, was examined at the bar again and again, and by the smartness and readiness of her answers to an infinitude of questions, sometimes gave a degree of relief to the wearisome sittings of a protracted examination. She seemed to be well pleased in the possession of so splendid a theatre for

displaying the attractions of her mind and person; but sometimes she carried her ease and gaiety to a degree of pertness and levity, contrary to that sense of propriety and decorum which, from the quickness of her understanding, might justly have been expected from her. Some of the witnesses, particularly on the motion of Mr. Whitbread, were sent to Newgate for prevarication. While several resolutions and amendments were proposed, the Duke of York resigned his office, and Sir David Dundas was appointed commander-in-chief in his stead. The chancellor of the exchequer's motion "That the house having appointed a committee to investigate the conduct of his Royal Highness the Duke of York, as commander-in-chief, and having carefully considered the evidence which came before the said committee, and finding that personal corruption and connivance at corruption have been imputed to his said Royal Highness, find it expedient to pronounce a distinct opinion upon the said imputation, and are accordingly of opinion that it is wholly without foundation," after a long debate, was carried. An amendment of an opposite nature was proposed by Sir T. Turton, and negatived.

The decision of the house of commons, coupled with the spontaneous resignation of the Duke of York, was such as became that great council, modified as it was by a regard to what

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was due to the duke on the one hand, and to the sentiments of the nation on the other. The issue of this great and important trial did infinite honor to the English nation.

The frauds and evil practices which were thus unveiled, led to some salutary measures for correcting them. The chancellor of the exchequer brought in a bill, March 27, to prevent the sale and brokerage of offices.

Mr. Maddocks complained of corrupt practices in influencing the returns of members to parliament, and with the avowed object of a reform in parliament, he stated the abuses of the representative system of such places as Hastings, Rye, Cambridge, Queensborough, and many others, for the purpose of proving which he moved, (the chancellor of the exchequer and Lord Castlereagh having retired,) that "the matter of his charge against the Right Hon. Spencer Perceval, and Lord Viscount Castlereagh, be heard at the bar of the house." Mr. Whitbread and Sir F. Burdett both rose to second the motion. A long debate ensued; one party contended for the necessity of parliamentary reform; another for, at least, the correction of public abuses, and the propriety, whatever might be the result, of investigation; another insisted on the blessings we derived from the present order of things, and the danger to be apprehended from innovations. Lord Milton proposed as an

amendment, "that instead of the words 'at the bar,' the said charge be referred to a select committee." Another amendment to the motion was moved by Mr. D. Giddy, that the charge should be confined alone to Lord Castlereagh. These amendments and the motion itself were negatived.

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Mr. Curwen proposed a plan of reform in parliament, May 4th. By the alterations he suggested, a larger proportion of the landed interest would appear amongst them in the house of commons, while the mercantile portion of the community would continue to represent the metropolis, and those other cities and boroughs where they had a natural interest; as it was fit they should, since the very excellence of parliaments consisted in their containing a due proportion of all ranks in society. The peculiar advantage of having the landed proprietor in that house was, that each individual brought with him the affections and confidence of a portion of the people. Having moved for leave to bring in the bill, after some observations from Mr. Windham and the chancellor of the exchequer, the motion was carried, and Mr. Ponsonby, Sir A. Pigot, Sir S. Romilly, Lord Folkstone, Mr. Windham, and other members, were ordered to join Mr. Curwen for the purpose of preparing and bringing it in. In the progress of this bill, however, many clauses

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proposed by Mr. Curwen, were struck out, and many others, proposed by the chancellor of the exchequer, inserted; the consequence of which was, that it was so much stripped of its most important provisions, that many who had supported the bill in its first stages, disapproved of it on the third reading, (June 12,) as not calculated to effect what they had first in view. After the third reading, the following amendment was moved, by Lord Folkstone, as a proper preamble to the bill: "A bill for more effectually preventing the sale of seats in parliament for money; and for promoting a monopoly thereof to the treasury, by means of patronage." On this singular motion the house divided when there was a majority of 100 against it. The motion for reading the bill a third time was carried, and it was also passed, with little opposition, in the house of lords.

A plan for parliamentary reform was proposed by Sir F. Burdett, but his motion for taking it into future consideration, was negatived. A motion was also made by Mr. Whitbread, for limiting the number of persons holding seats in the house of commons, together with places, pensions, sinecures, and places under the crown, which, after a debate, was negatived.

Mr. Wardle called the attention of the house to public economy in the military and civil departments; in taking a review of which, he

calculated that there might, by proper management, be a considerable saving. He moved for twenty-four papers to enable him to go further into detail the following session. All his motions were agreed to.

The business of this session having been finished, it closed June 21st.

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CHAPTER XXVII.

*Continuation of the History of Parliament in the Reign of
George the Third.*

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On the resignation of the two secretaries, Lord Castlereagh and Mr. Canning, Mr. Perceval, who had become first lord of the treasury and prime minister, in order to consolidate his own administration, sought an amalgamation with the Earl Grey and Lord Grenville: who were considered by their adherents as the chief leaders of what was called the whig party. Mr. Perceval's proposal, however, being rejected by Lords Grenville and Grey, the Marquis of Wellesley was appointed secretary of state for foreign affairs, the Earl of Liverpool, secretary for the department of war and the colonies, and Mr. Ryder for the home department.

The Imperial Parliament assembled on the 23d of January. The session was opened by commission, and the King's speech turned, as usual, on the relations in which we stood to foreign states, the principal events that had arisen out of these since the last prorogation of parliament, and the views that had dictated, or continue to dictate, the conduct of government—the expedition to the Scheldt, and reduction

of the island of Walcheren—the situation of Sweden—the expulsion of the French from Portugal—the victory of Talavera—the resolution of the Spanish government, in the name and by the authority of Ferdinand VII., to assemble the Cortes—and the consideration which recommended continued support to the Spaniards—the suspension, but grounds for hoping for a speedy restoration of friendly intercourse between this country and the United States of America—and his Majesty's reliance on parliament for supplies.

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In the house of lords, an address, in answer to his Majesty's speech, was moved by the Earl of Glasgow, and seconded by Lord Viscount Grimstone, but opposed by the Earl of St. Vincent, who said the victory of Talavera led to no advantage, and had all the appearance of a defeat. Lord Grenville, after an animated speech, concluded with moving the following amendment to the second paragraph of the address.

“ That we have seen with the utmost sorrow and indignation the accumulated failures and disasters of the campaign, the unavailing waste of our national resources, and the loss of many thousands of our brave troops, whose distinguished and heroic valour has been unprofitably sacrificed in enterprises productive, not of advantage, but of lasting injury to the country; in enterprises marked only by a repetition of

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former errors, tardy and uncombined, incapable in their success of aiding our ally, but exposing in their failure his Majesty's councils to the scorn and derision of the enemy. That we therefore feel ourselves bound, with a view to the only atonement that can now be made by an injured people, to institute, without delay, such rigorous and effectual inquiries and proceedings as duty impels us to adopt in a case where our country has been subjected to unexampled calamity and disgrace."

After a warm debate, involving particularly a review of the war in Spain, and the calamitous expedition to the Scheldt, the question was loudly called for, when, on a division of the house, there appeared, for Lord Grenville's amendment, 92, and for the address, 144.

In the house of commons, the same day, Lord Bernard in a maiden speech, moved the address to his Majesty's speech, which was seconded by Mr. Peele, and opposed by Lord Gower, who proposed an amendment, nearly in the same terms with that which had been presented to the house of peers. The debate was equally animated, and on a division of the house, the amendment was lost by a majority of 67.

Fresh discussions arose in both houses on a motion of thanks to Lord Viscount Wellington, and the officers and army under his command, when various opinions were expressed relative

to the affairs of Spain, both political and military. The vote of thanks was opposed, supported, and carried.

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In the house of commons, Jan. 26, Lord Porchester, after taking a review of the progress and disasters of the expedition to the Scheldt, concluded an elaborate speech by moving, "That a committee be appointed to inquire into the policy and conduct of the late expedition to the Scheldt," which, after a long debate, was carried by a small majority. A committee of the whole house to inquire into the causes of the failure of this expedition was then appointed, and motions were consequently made for the production of necessary papers, &c., which were agreed to.

On the commencement of this inquiry, Feb. 19, Lord Folkstone observed, that among the papers on the table, he found a letter of a most extraordinary nature, entitled, "Copy of the Earl of Chatham's statement of the proceedings, dated 15th of Oct. 1809—presented to the king the 14th of Feb. 1810." The date of its presentation to the king, without the intervention of any responsible minister, was much noticed. It had been, two or three months before Feb. 14, announced in the newspapers, known, or supposed to have some understanding with the ministry, that Lord Chatham had presented a narrative of this description to his Majesty.

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The objections which Lord Folkstone had to this paper, on account of the manner in which it had been presented to his Majesty, were considerably aggravated by a knowledge of its contents. It appeared to be a special address from the commander of one part of the expedition, appealing to the judgment of his Majesty, and actually reflecting upon the conduct of his colleague in the command. Some members, advertg to the purpose for which this narrative was apparently framed, arraigned Lord Chatham's clandestine proceeding as unconstitutional, while others defended it. Mr. Whitbread, after several animadversions upon the case, moved, "That an humble address be presented to his Majesty, praying that he would be graciously pleased to order that there be laid before the house, copies of all reports, memoranda, narratives, or papers, submitted at any time to his Majesty, by the Earl of Chatham, relative to the late expedition," which, after a debate, was carried by a majority of 7.

On the 26th of Feb. the chancellor of the exchequer reported to the house, that his Majesty had been waited upon with their address, to which he had been graciously pleased to direct the following answer to be given—"The Earl of Chatham having requested his Majesty to permit him to present his report to his Majesty, and having also requested that his

Majesty would not communicate it for the present, his Majesty received it on the 15th of January, 1810, and kept it till the 10th of February, when, in consequence of a wish expressed by the Earl of Chatham on the 7th of February, to make some alterations in it, his Majesty returned it to the Earl of Chatham. The report, as altered, was again tendered to his Majesty by the Earl of Chatham on the 14th, when his Majesty directed it to be delivered to his secretary of state, and his Majesty has not kept any copy or minute of this report, as delivered at either of these times; nor has had at any time, any other report, memorandum, narrative, or paper, submitted to him by the Earl of Chatham relating to the late expedition to the Scheldt."

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Mr. Whitbread requested to know who was the privy counsellor, a member of that house, who took his Majesty's pleasure upon the address. The chancellor of the exchequer said, "I was the privy counsellor who took his Majesty's pleasure upon the address." Mr. Ponsonby, without wishing to give any opinion at present upon the answer given, trusted it would be inserted in the journals, in order that, if necessary, reference might be made to it on any future occasion. The speaker said that this was the uniform rule of the house.

The city of London had presented in Decem-

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ber, 1809, a petition to his Majesty, that he would be graciously pleased to direct an immediate and effectual inquiry into the causes of the calamitous failure which had attended the expedition to Walcheren. The answer given by ministers, was, that his Majesty had not deemed it necessary to institute any inquiry. The Marquis of Lansdown in taking Lord Chatham's narrative into consideration in the house of lords, March the 2d, felt it his duty to move for an address to his Majesty, praying "that he would be graciously pleased to inform the house who it was that advised his Majesty to return the answer to the city of London, respecting the expedition to the Scheldt, that his Majesty had not deemed it necessary to institute any inquiry." The Earl of Liverpool assured the noble Marquis that the whole of his Majesty's ministers had concurred in advising his Majesty to give that answer, with the exception of the Earl of Chatham, who had not attended the deliberations on that subject. After some discussions respecting the policy and conduct of the Scheldt expedition, Lord Lansdown's motion was negatived.

On the same day, Mr. Whitbread made a specific motion on the subject of the Earl of Chatham's narrative in the house of commons. This motion consisted of two resolutions the first, respecting the presentation of the narra-

tive, and the second, "That the Earl of Chatham, by private communication to his Majesty, accompanied by a desire of secrecy, did unconstitutionally abuse the privilege of access to his sovereign; and thereby afford an example most pernicious in its tendency to his Majesty's service, and to the general service of the state." After long debates the house became clamorous for the question, and the resolutions were carried by a small majority.

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The discussion respecting the Earl of Chatham's narrative formed a kind of episode in the general inquiry into the Scheldt expedition. When the committee appointed for this purpose had finished their long and painful labours, Lord Porchester who was the principal manager, rose, March the 21st, to submit to the house of commons a series of resolutions, declaratory of his sentiments on that important subject. After a debate of four days the resolutions were negatived; and resolutions, which were moved by General Crawford, approving the conduct of ministers with regard to the policy of the expedition, and also approving the retention of Walcheren, were carried.

After this inquiry a circumstance took place, which, though of a trivial nature, gave rise to much important discussion. Mr. Yorke had given notice that when the inquiry commenced, he would enforce the standing order of the

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house for the exclusion of strangers. This he did, not to keep their proceedings from publicity, but from misrepresentation; for during the progress of the investigation, the minutes of the evidence were published every third day. On the subject of this standing order, one of those settled at the commencement of every session of parliament, Mr. Sheridan, on February the 6th, in a very animated speech displayed the advantages of the liberty of the press, and particularly the unrestrained publication of the debates and proceedings of parliament. He begged leave to ask what was the sanctity of this supposed standing order? He contended it was no standing order at all. It was passed at the opening of the session upon question. It might have been rejected when proposed, and of course was liable to revision and appeal on any subsequent occasion. It was a mistaken idea to suppose that that order empowered any member to call upon strangers to withdraw. That power and authority rested with the serjeant at arms alone. He concluded with moving, "That a committee of privileges be appointed to meet to-morrow in the speaker's chamber to consider the order of the 25th of January, 1809."

After some animadversions by Mr. Windham (who denied that the publication of the debates was advantageous to the country) Lord Folkstone, Sir Francis Burdett, and the chancellor of the

exchequer, Mr. Sheridan's motion was nega-
tived.

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The vote for enforcing the standing order became at this time a subject of discussion at a debating society, called the British Forum, which was held by John Gale Jones, at the Bedford Arms, Covent Garden. The question was—which was a greater outrage on the public feelings, Mr. Yorke's inforcement of the standing order to exclude strangers from the house of commons, or Mr. Windham's recent attack on the liberty of the press? Mr. Yorke having stated this in the house of commons, John Dean, the printer of the bills, was ordered to attend the next day at the bar of the house. Having attended, Dean said, in his vindication, that he had been employed to print the bills in question by John Gale Jones. It was then moved by Mr. Yorke, and voted *nem. con.* “that John Dean in having printed the said paper was guilty of a high breach of the privilege of that house.” The printer was accordingly committed to the serjeant at arms, and Jones ordered to attend the following day. Jones acknowledged he was the author of the paper, and expressed his sorrow that the printer thereof suffered inconvenience on his account. It being unanimously carried that John Gale Jones had been guilty of a gross breach of the privileges of that house, Mr. Yorke moved, “that Jones, for his

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offence, be committed to his Majesty's gaol of Newgate," which was also carried *nem.con.* The printer, John Dean, was, at the intercession of Mr. Yorke, on presenting a petition for forgiveness, reprimanded by the speaker, and discharged without paying any fees.

On the 12th of March, Sir Francis Burdett contended that the imprisonment of Jones was an infringement on the laws of the land, and a subversion of the principles of the constitution. He insisted that the house of commons had no right to imprison a person, not a member of that house, for an offence punishable by the ordinary mode of law, and that consequently the common law, *magna charta*, and the trial by jury had been violated. He declared the warrant of commitment was illegal in all its parts, but eminently so in its conclusion, for instead of ending with the words "until the party be delivered by the due course of the law," it terminated with "during the pleasure of the house." The hon. baronet, therefore, moved for the liberation of John Gale Jones.

This motion was opposed by Mr. C. W. Wynne, who produced instances of commitment prior to the long parliament. The Solicitor General said, that as far as the practice could be traced it was found to be legal and constitutional. Mr. Sheridan wished to vote for the release of John Gale Jones, but not on the

principles contained in the hon. baronet's speech, and therefore moved, as an amendment, "That John Gale Jones should be discharged in consequence of the contrition he had expressed for his offence against the privileges of the house, and the period he had been imprisoned in Newgate."

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The chancellor of the exchequer, after deprecating the doctrine avowed by the hon. baronet, which implicated the existence of their privileges, objected to the amendment, not being able to see any contrition on the part of the offender subsequent to his commitment, as there had been no petition to that effect. The amendment was negatived without a division, but the house having divided upon the original motion, there appeared for it 14, and against it 153.

On Saturday, March 24, there appeared in Cobbett's Weekly Political Register, a letter inscribed "Sir Francis Burdett to his Constituents, denying the Power of the House of Commons to imprison the People of England." This publication was brought under the notice of the house of commons, March 26, by Mr. Lethbridge, at whose desire the question was put by the speaker to Sir F. Burdett, whether he acknowledged himself to be the author of it? Sir Francis Burdett answered in the affirmative, and Mr. Lethbridge gave notice of a motion on

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the subject. The next day, pursuant to this notice, Mr. Lethbridge laid on the table of the house the documents which the hon. baronet, who was the object of the motion he had to make, had admitted to have been published by his authority. The paper was accordingly read by the clerk.

Among the passages pointed out as the most offensive in this letter, were the following :

“ The house of commons having passed a vote which amounts to a declaration that an order of theirs is to be of more importance than *magna charta* and the laws of the land, I think it my duty to lay my sentiments thereon before my constituents, whose characters as freemen, and even whose personal safety, depend, in a great degree, on the decision of this question—a question of no less importance than this—whether our liberty be still to be secured by the laws of our forefathers, or be to lie at the absolute mercy of a part of our fellow subjects, *collected together by means which it is not necessary for me to describe.*”

“ If they” (the house of commons) “ have the absolute power of imprisoning and releasing, why may not they send their prisoner to York gaol as well as to a gaol in London ? Why not confine men in solitary cells, or load them with chains and bolts ? They have not gone these lengths yet. But what is to restrain them if

they are to be the sole judges of the extent of their own powers, and if they are to exercise those powers without any control and without leaving the parties whom they choose to punish any mode of appeal, any means of redress.”

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“By proceeding thus they may have exercised a jurisdiction not vested in them, a jurisdiction beyond the limits of king, lords, and commons, while *magna charta* remains unrepealed; and repealed it never can be till England shall have found her grave in the corruption of the house of commons.”

“But no wonder when they have so entirely departed from the ends of their institution, as was offered to be proved by Mr. Maddocks and acknowledged by themselves in the never-to-be-forgotten morning of the 11th of May, 1809, when from being the lower, or inferior (for it is the same sense, the one being an English, the other a Latin word) branch of the legislature, they have become, by burgage tenure, the proprietors of the whole representation, and in that capacity, inflated with their highflown fanciful ideas of majesty, and tricked out in the trappings of royalty, beneath their dignity, assume the sword of prerogative, and lord it equally over the King and the people.”

“It is, therefore, now the time to resist the doctrine upon which Mr. Jones has been sent to Newgate; or it is high time to cease all pre-

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tensions to those liberties, which were acquired by our forefathers, after so many struggles and so many sacrifices.”

“ Let this instrument,” (the warrant,) “ this thing *sui generis*, be contrasted with the descriptions of a lawful warrant. Does it not evidently appear, that this piece of unsealed paper signed by the speaker, by which an untried subject has been out-lawed, bears no feature of legality ? And that from the commencement of this proceeding, in its progress and in its conclusion, there is not one step, that has not been marked in a peculiar manner with disrespect for the law—a disrespect, in which all the parts have been wonderfully consistent throughout, in constituting the most unlawful act the mind of man can possibly conceive ?”

“ We need no better security, no more powerful protection for our rights and liberties, than the laws and constitution. We seek for, and we need seek for, *nothing new*. We seek for no more than what our forefathers insisted upon as their own ; we ask for no more than what they bequeathed unto us ; we ask for no more than what they, in the testament, which some of them had sealed, and which the rest of them were ready to seal with their blood, expressly declared to be, ‘ *The birth right* of the people of England,’ namely, the ‘ *Laws of England.*’ ”

“ To these laws we have a right to look with

confidence for security. Your voice may come with more force—may command greater respect, and I am not without hope, that it may prove irresistible, if it proclaim to this house of commons in the same tone as the tongues of our ancestors proclaimed to the kings of old—*No-lumus leges Angliæ mutari*, or in our own clear and not less forcible language—‘The Laws of England shall not be changed.’”

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“The principle, fellow-citizens, for which we are now contending, is the same principle for which the people of England have contended from the earliest ages, and their glorious success in which contests is now upon record, in the great charter of our rights and liberties, and in divers other subsequent statutes of scarcely less importance. It was this same great principle, which was again attacked by Charles I. in the measure of ship-money, when again the people of England, and an uncorrupted house of commons renewed the contest; a contest, which ended in the imprisonment, the trial, the condemnation, and the execution of that ill-advised king; and for a similar violation his son was compelled to flee from the just indignation of the people, who not only stripped him of his crown, but who prevented that crown from descending to his family.”

“Volumes have been written by foreigners, as well as by our own countrymen, in praise of

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that part of our law, which, in so admirable a manner, provides for our personal safety against any attacks of men in power. This has, indeed, been in all ages, the pride of our country, and it is the maintenance of this principle which enables us to escape that bondage, in which all the states and kingdoms in Europe were enthralled by abandoning and yielding it up; and we may be assured, that if we now abandon it, the bright days of England's glory will set in the night of her disgrace."

"But I would fain believe that such is not to be our case. Our forefathers made stern, grim-visaged PREROGATIVE hide his head; they broke in pieces his sharp and massy sword. And shall we, their sons, be afraid to enter the lists with undefined PRIVILEGE, assuming the powers of prerogative?"

"That a power such as this should exist in any country, it is lamentable to be obliged to believe; but that it should be suffered to exist, and that its existence should be openly and even boastfully avowed, in a country whose chief glory has been its free constitution of government, is something too monstrous to be believed, if the proof were not before our eyes."

Sir Francis Burdett said, that in writing the Address to his Constituents, and the arguments that accompanied it, he had no idea that he was infringing the privilege of that power. "Was

it to be supposed, that the simple act of arguing on the powers of the commons was a crime? Would not the house endure an abstract doubt of their powers?" He was willing to abide by the fact and argument of what he had written.

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There being a cry of "Withdraw," and the Speaker having stated that this was in similar cases the uniform usage, Sir F. Burdett accordingly withdrew, and Mr. Lethbridge then proposed the two following resolutions, for the adoption of the house:

"I. Resolved that the letter signed Francis Burdett, and the further argument which was published in the paper called Cobbet's Weekly Register, on the 24th of March, 1810, is a libellous and scandalous paper, reflecting upon the just rights and privileges of this house.

"II. That Sir Francis Burdett, who suffered the above articles to be printed with his name, and by his authority, has been guilty of a violation of the privileges of the house."

The motion was seconded by Mr. Blachford, and the discussion of the resolutions was ajourned till the next day, March 28, when Mr. Sheridan alleging that the discussion relative to the Scheldt expedition, was more important, and should not be interrupted, moved, "That the committee of privileges should resume its sitting on that day se'nnight, and that the paper complained of should be referred to it." A con-

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versation ensued on the question of adjournment, which was strenuously opposed by the chancellor of the exchequer and the attorney general; but upon the question being put, the debate was adjourned to April 5.

On the resumption of the debate, on the appointed day, not less than thirty members delivered their sentiments. Lord Folkstone, Mr. Stephen, and General Matthews, did not think that the letter was a scandalous libel on the privileges of the house: on the contrary, it was contended by the honorable general, that, in freely communicating with his constituents, Sir Francis Burdett was justified by the practice of the best days of the constitution. Mr. W. Wynne insisted that Sir Francis Burdett's paper was a gross breach of the privileges of the house. The chancellor of the exchequer expressed the same opinion. Mr. Sheridan said, "If the house were brought into an unpleasant predicament, wo to the late member for Cambridge-shire!" He desired to know from the gentlemen who supported the resolutions, what conclusion they intended to draw from their adoption? Sir Robert Salisbury said that, if the resolutions were agreed to, he should propose that Sir Francis Burdett be committed to the Tower. Several members announced their intention of opposing the resolutions, since it was proposed to follow them up by a punishment

not warranted by the offensive matter contained in the paper on the table.

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The resolutions having been agreed to, without a division, Sir Robert Salisbury then moved for the commitment of Sir Francis Burdett to the Tower. An amendment was proposed, that Sir Francis Burdett be reprimanded in his place, which, on a division of the house, was lost by a majority of 38.

In consequence of this vote for the commitment of Sir Francis Burdett, the speaker, on the same morning, at half past eight o'clock, signed the warrants for commitment, and immediately delivered them to the serjeant at arms, to be carried into effect, if possible, by ten o'clock that morning. From the politeness of Mr. Colman, the serjeant, in announcing the commission with which he was charged, it was not till about five o'clock in the afternoon that he went to Sir Francis Burdett at his house, and saw the baronet, who told him that he would be ready to receive him at eleven o'clock next morning, on which the serjeant retired, conceiving that it was Sir Francis's intention to go with him peaceably to the Tower at the time stated. About eight o'clock the serjeant came again to Sir Francis Burdett's; he was now accompanied by one of the messengers, and told Sir Francis that he had received a severe reprimand from the speaker for not having exe-

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cuted the warrant, which he read. Sir Francis then disputed the legality of the warrant, and declared that he was determined not to go, if not constrained by actual force, which he was also resolved to resist as far as it was in his power. He stated also that he had written to the speaker of the house of commons on the subject.

Meanwhile, a mob had been assembled before Sir Francis Burdett's house, and was every moment increasing. Mr. Colman, who had called several times before without being admitted, went again on the following Sunday morning, at seven o'clock, attended by a messenger and some police officers, and knocked frequently at the door, but it was not opened. The serjeant and messenger, by turns, waited in the neighbourhood of Sir Francis's house, for the rest of the day and the night, thinking that he might come out again, as he had once done the preceding Saturday, and that they might have an opportunity of apprehending him. It had become evident, from the number of the populace assembled in Piccadilly, that the warrant could not be executed without force; and the speaker, having great doubts as to the power he was possessed of by his warrant, sent his warrant to the attorney general for his opinion, and on that opinion he acted. Late on Sunday evening the serjeant went to the secretary of state's

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office to request civil and military assistance for carrying his purpose into effect. On Monday, April 9, at ten o'clock in the forenoon, he went to Sir Francis's house, attended with 20 or 30 police officers, and a detachment of cavalry and infantry, to escort the carriage which he had in waiting, to convey Sir Francis to the Tower. The serjeant, attended by some police officers, forced an entrance into Sir Francis Burdett's house down by the area and through the kitchen door. Having left a party of the foot-guards in the hall, he went up, with the police officers, into a room where Sir Francis was with his family and a friend. Sir Francis was employed, at that moment, in making his son read and translate *Magna Charta*.

Mr. Colman told Sir Francis, that however painful it was to him to adopt rough means, he had such a force that it would be quite in vain to make resistance; that he was his prisoner, and must immediately come into the carriage that was prepared for him. Sir Francis repeated the objections he had before made against the warrant, and declared that he would not yield to any thing less than actual force. As the constables were advancing by order of the serjeant to assist him, his brother and friend laid hold, each of them, on one of his arms, and conducted him to the carriage, into which they followed him; but his friend was obliged, by a

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number of people, who had quickly assembled, to come out again. A messenger was left with Sir Francis in the carriage. The serjeant attended on horseback, and delivered him to the deputy-lieutenant of the Tower. The escort proceeded rapidly to the Tower by the northern skirts of the town, without encountering any material opposition.

The mob that had assembled near Sir Francis's house, in Piccadilly, and in the adjoining streets, on Friday evening, obliged every one that passed to take off his hat, and cry, "Burdett for ever!" They broke the windows of a number of houses, among which were those of Lord Chatham, the Duke of Montrose, Mr. Yorke, Lord Westmoreland, Mr. Wellesley Pole, Lord Dartmouth, Sir John Anstruther, and Mr. Perceval. On Saturday, between twelve and one o'clock the populace assembled in such great numbers, and grew so tumultuous, that a company of the foot, and another of the horse-guards were sent to disperse them, and the riot act was read by Mr. Read the police magistrate. Some companies of the volunteers also presented themselves, in readiness to support the civil authority. Towards the close of the day, the mob, which had dispersed, began to rally. The detachment of troops was reinforced, and the cavalry had orders not to permit more than two persons to converse together. There was some

firing, without ball, for clearing Piccadilly. Some pistols, charged with ball, were fired on both sides, by which divers persons, both of the soldiery and populace, were wounded, though only slightly. But on the return of the escort from the Tower, the contest became more sanguinary.

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At the time when the serjeant at arms carried off Sir Francis Burdett from his house, the number of people assembled in Piccadilly was but small; but the report of his apprehension spread rapidly. The streets, through which it was supposed he would pass, were crowded with people, who being informed that he had gone a different route, proceeded, their numbers still encreasing as they advanced, to Tower-hill. The moment Sir Francis entered the Tower, some pieces of cannon were fired according to the custom in similar cases. A report was spread, that the cannon of the Tower had fired on the people; and scarcely had the military, on their return from the Tower, entered Eastcheap, when they were attacked with showers of stones, brick-bats, and other missiles. The troops at length fired several shots among them, by which some lives were lost, and not a few wounded. This kind of warfare continued till the guards crossed the Thames, by London bridge, to return through St. George's-fields, and by Westminster bridge to their quarters.

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In the case of Thomas Ebrall, a young man shot in Fenchurch-street, and who died on the 13th, the coroner's jury returned a verdict of *Wilful Murder*, and in the inscription erected to his memory, it is added, "Murdered by a Life-guard's man unknown."

The letter which Sir F. Burdett had written agreeably to what he had said to the serjeant, was communicated by the speaker to the house of commons on Monday, April 9. In this letter, after stating what he conceived to be his duty, both to his constituents and to the king, Sir Francis added, "Your warrant, Sir, I believe you know to be illegal. I know it to be so. To superior force I must submit. But I will not incur the danger of continuing voluntarily, to make one of any set of men who shall assume illegally the whole power of the realm; and who have no more right to take myself, or any one of my constituents by force, than I or they possess to take any one of those who are now guilty of this usurpation. And I would condescend to accept the meanest office, being more desirous of getting out of my present association, than others may be desirous of getting profitably into it. Since you have begun this correspondence with me, I must beg you to read this my answer to those under whose orders you have commenced it. I remain, Sir," &c.

The speaker having read the letter, stated,

that the next thing the house had to dispose of was, whether it should be ordered to lie on the table? The debate on this question, was adjourned till the next day, when Mr. Curwen moved, that the further consideration of it be adjourned to that day six months. The chancellor of the exchequer proposed the following resolution, "That the letter which Sir F. Burdett had written to the speaker, was a high aggravation of his offence; but it appearing from the report of the serjeant, that the warrant had been executed, the house did not think it necessary to proceed any further on the said letter."

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A long conversation ensued, Sir Samuel Romilly defended the conduct of Sir F. Burdett, and insisted that as there was originally no offence, the letter could not, properly speaking, be called an aggravation. Mr. Whitbread could not consent to the word "aggravation," and proposed "flagrant," as a parliamentary word. It appearing to be the general sentiment of the house, that neither the letter, nor the amendments moved, should appear on the journals, the speaker said he would give directions accordingly, and the resolution with some alteration was agreed to *nem. con.*

Sir Francis Burdett brought an action at law against the speaker of the house of commons, or issuing the warrant for his arrest and im-

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prisonment; one against the serjeant at arms, generally for executing the warrant, and particularly for breaking open the door of his house, in the execution of it; and another against the Earl of Moira, as the person who kept him in custody in the Tower. The house of commons ordered the attorney general to defend them.

Sir Francis Burdett was abundantly consoled, and probably more than consoled, during his confinement in the Tower, by the addresses he received from different parts of the kingdom, and the petitions that were sent to the house of commons for his liberation. Lord Cochrane presented a petition, April 17, from a meeting at Westminster held that day in Palace yard. It was entitled a *Petition and Remonstrance*; but instead of being petitioned, the house was *called upon* to restore to the inhabitants of Westminster their beloved representative, and to take into their consideration a reform in parliament. The petition and remonstrance being read, Lord Cochrane moved that it should lie on the table, which was opposed by several members, but after some further consideration it was agreed to. A petition from Middlesex, after a debate of two days, was rejected by a majority of 81. A petition from the Livery of London for the release, not only of Sir F. Burdett, but of Mr. Jones, was also rejected. A

second petition from the same party was afterwards received. A petition from the borough of Reading for the discharge of Sir F. Burdett and Mr. Jones, was received; as were also petitions from Berkshire, Nottingham, Kingston upon Hull, Rochester, and the borough of Southwark. A petition from Sheffield was rejected.

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It is somewhat curious to observe, that a very considerable portion of the time and attention of the house of commons this session, during the proceedings against Sir F. Burdett and J. G. Jones, was taken up with questions arising out of the practice of publishing, from day to day, accounts of the debates in parliament; a practice which, at the same time that it is productive of incalculable advantages to the cause of liberty, cannot fail, on many occasions to be a source of chagrin to the members of both houses, whose best speeches must consequently suffer by curtailments. Allowances, however, must be made for the extreme haste in which those speeches are written for a newspaper, and the confined space for which they must be limited; they are therefore subject to misrepresentation, as well as curtailment. Mr. Wallace called the attention of the house of commons to this subject, on the 16th of April, and alluded to a speech of Sir J. Anstruther's, which a short time before, had been given imperfectly in a

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morning paper. Mr. Wortley hoped, that some paper would set the example of reporting fairly, which put an end to the conversation.

The resolutions which the chancellor of the exchequer had proposed, respecting his financial statements and the new taxes imposed on Ireland, having been agreed to, Mr. Banks moved, January 21, that the bill of last session for suspending for a limited period the granting of offices in reversion, be read. After which he moved that it be rendered perpetual. The chancellor of the exchequer moved, as an amendment, "For a time to be limited," but with his own, one other voice was all that could be heard in support of it. The reversion bill, though it passed in the house of commons, was, Feb. 26, (the day appointed for the second reading,) thrown out in the house of peers.

Mr. Martin having moved the following resolution, March 19, "That it was the peculiar duty of that house to promote economy in the public expenditure, the chancellor of the exchequer proposed an amendment, by adding the words, "of all branches of his Majesty's government," and the resolution as thus amended, was agreed to. Mr. Banks then brought forward certain resolutions on this subject, respecting sinecure places and exorbitant salaries, or emoluments, and leave was given the next day to bring in a bill, to prevent the grant of

places and pensions in reversion, notwithstanding the bill for that purpose, which had lately failed in the house of peers.

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The extreme price of gold at this period, induced Mr. Horner to move certain resolutions, for the production of a variety of accounts and returns respecting the present state of the circulating medium, and the bullion trade. All his resolutions being agreed to, a committee was appointed for the purposes of enquiring into, and remedying the evil, and Mr. Horner was chosen chairman. Their report was not given into the house of commons, till the evening of the day preceding the prorogation of parliament. The bullion committee, after a laborious investigation, were decidedly of opinion, that the scarcity of current coin was to be attributed to an excessive issue of Bank of England paper; but they could point out no effectual remedy, except the repeal of the law which suspends the cash payments of the Bank of England; and as that might be attended with considerable difficulties and danger, they recommended an ample time to be allowed for enabling the Bank to effect it.

The substance of this report was immediately circulated in the newspapers, and the alarm which it occasioned among the bankers, and the merchants who were accustomed to look to the Bank for discounting their bills, was followed

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by many failures in mercantile houses in London, as well as of some country banks.

Mr. Hunt, a member of the house of commons, and treasurer of the ordnance, having drawn on the Bank in the names of persons connected with the ordnance £10,000, nearly the whole of which he owed to the public, Mr. Calcraft, May 23, moved, "That for the said offences, Joseph Hunt, Esq., be expelled this house," which was agreed to *nem. con.* This gave rise to an act called the embezzlement bill, which was brought into the house of commons this session and passed.

The subject of parliamentary reform was again brought forward in the house of commons by Mr. Brand, May 21, who moved, "That a committee be appointed to inquire into the state of the representation of the people in parliament, and of the most efficacious means of rendering it more complete, and to report the same, with their observations thereupon, to the house." After a long debate in which the usual arguments were urged *pro.* and *con.* the motion was lost by a great majority.

Another great standing question was submitted to the house of commons by Mr. Grattan, who moved for a committee to consider the Roman Catholic petitions, which having been debated, was negatived. A motion to the same effect was made in the house of lords by the

Earl of Donoughmore, which, after some discussion, was also negatived.

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Sir Samuel Romilly proposed to the house of commons some alterations in the criminal laws of the country, and moved for leave to bring in bills for that purpose. Leave was granted, but on the question, "that the bills be engrossed," a long debate ensued; several objections were started and they were at length rejected. A motion was afterwards made by Sir Samuel Romilly, for carrying into execution the act already passed for the erection of penitentiary houses for confining and employing convicts. Though the principle of the system was approved, it was insisted that time was required for complete information on the subject, and the necessity of delay being urged, Sir Samuel Romilly withdrew his motion for the present.

During this session were passed the vexatious arrest bill, (which augmented the sum, for an arrest) the insolvent debtor's bill and others. Mr. Brougham having called the attention of the house of commons, June 15, to the state of the slave-trade, after a long and eloquent speech, moved an humble address to his Majesty, beseeching his Majesty to persevere in his gracious endeavours to induce his allies and such other foreign states as he might be able to negotiate with, to co-operate with this country in a general abolition of the slave-trade

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One passage in the address proposed, which went to pledge the house in the adoption of some measure the ensuing sessions, being disapproved of, Mr. Brougham had no objection to separate it from the address, which, thus separated, was agreed to.

When the session began to draw to a close, it became natural, as at its commencement, to bring under the consideration of parliament, the great subject that, for the present, was paramount to all others, and to which so many subjects of discussion had more or less a reference. The affairs of Spain were accordingly re-considered in the house of lords by the Marquis of Lansdown, whose motion on the subject gave rise to a repetition of the arguments which had been urged *pro.* and *con.* in the former discussions, and which was negatived. Earl Grey also called the attention of the house to the state of the nation, but with a similar effect.

On the 21st of June, the royal assent having been given to several bills, the parliament was prorogued till August 21.

For some days before the prorogation of parliament, when prisoners committed by either houses are always liberated, a number of Sir Francis Burdett's most zealous partizans, having formed themselves into what they called a committee of his friends, announced in the newspapers the ceremonial to be observed on

his going out of prison. There was to have been a procession, for numbers and pageantry, beyond any thing of the kind recorded in English history, to accompany the martyr of liberty from Tower hill to his house in Piccadilly. Towards the afternoon, the whole line of streets from the Tower to Stratton-street, Piccadilly, was thickly planted with people. Every window and elevated station were occupied. In Piccadilly scaffoldings were erected. Blue cockades were every where to be seen among the multitude that filled the streets; most of the ladies wore the garter blue ribbon. From many houses were suspended rods with ribbons of the same colour. Numerous bodies of the Westminster electors, began to repair to the Tower about one o'clock, preceded with bands of music, and with blue silk colours flying, on which were inscribed various devices, such as "The constitution," "Trial by Jury," "Magna Charta," "Burdett for ever," &c.

Sir Francis Burdett, however, to avoid this pageantry, as soon as the prorogation of parliament was made known at the Tower, by means of a sort of telegraphic communication, left the place by water, and his departure was signified by placards which were suspended over the gates of the Tower. For some time considerable confusion prevailed, and discontent ap-

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peared in every countenance. It was at length resolved that the procession should return to Sir Francis Burdett's house, and on the way it was joined by another multitude drawing a hackney coach in which was Mr. Jones, the primary cause of all this tumult. About eight o'clock they reached Piccadilly, and by ten the town displayed a general illumination.

In consequence of Sir F. Burdett's secret departure from the Tower, two members of the Westminster committee waited on him at Wimbledon. Sir Francis said that his conduct had been the result of the deepest reflection. Their enemies, he added, had been base enough to charge him with the blood that had been shed on the day of his commitment; and had he, by gratifying his personal vanity, been the cause of a single accident, he should have reflected on it with pain for the remainder of his life.

On the commencement of the next session, the great concern which occupied the attention of parliament, and excited the public interest, was the supplying of a deficiency in the executive branch of the government, which the continued mental indisposition of his Majesty had created. After repeated adjournments of parliament by the ministers, in hopes of a favourable turn in the king's malady, it appeared no longer possible to avoid the measure of forming

a regency, and on Dec. 20, the chancellor of the exchequer moved in the house of commons those resolutions, copied from those of Mr. Fox on the like occurrence, in 1788-9; the first, declarative of the present incapacity of the sovereign; the second, of the competency of the two houses of parliament to supply that incapacity; and the third, that the proper mode of doing it would be by bill. Of these the first passed unanimously; the second with the single negative of Sir Francis Burdett; but on the third, Mr. Ponsonby moved an amendment, "That an address should be presented to the Prince of Wales, praying him to take upon him the office of Regent." On this motion a division took place, in which the amendment was rejected by a majority of 112. In the house of lords, the same resolutions were proposed and carried, after a similar amendment had been moved on the third, and rejected. It is observable, that the principle maintained by the late Mr. Fox, and several of the opposition, that the Prince of Wales, as the heir apparent, succeeded of course to the regency, on such an emergency as the present, seems in this instance to have been abandoned.

A conference between the two houses was appointed, for the 31st, after which the assent of the lords to the resolutions was announced to the commons; and on that day the chan-

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cellor of the exchequer, at the conclusion of a long speech, moved five separate propositions, as the basis of an intended bill for regulating the office of regent. Of these, the first appointed his Royal Highness the Prince of Wales, Regent, under certain restrictions and limitations; by the second he was restrained from confirming the rank of peerage for a time to be determined; by the third from granting offices in reversion, or places or pensions for a longer term than during the royal pleasure; the fourth made regulations respecting the King's private property; and the fifth related to his household, vesting the management of it in the Queen. The first stand made by the opposition was against the leading proposition, "That the Regent should be laid under certain restrictions." The honourable Mr. Lambe moved an amendment upon it, "That the entire royal power should be conferred upon him, without any restrictions." In this debate the same ground was gone over again as on the occurrence in Mr. Pitt's ministry, with the same result, the amendment being negatived by 234 against 200; but such a small majority indicated, that the ministers began to totter in their seats.

At the very beginning of the year, a difficulty resulting from the suspension of the royal authority occurred, which the ministers had not foreseen. It was stated to the house of com-

mons on January 3, 1811, by the chancellor of the exchequer, and related to the issue from the exchequer of certain sums for the use of the army and navy. These sums had been expressly appropriated by parliament to the naval and military services, but a difference of opinion had arisen between the treasury and the exchequer, which required a resolution of the house to sanction the proceeding of the executive government. After putting to the other side of the house, whether there was any objection to his making a motion on the subject without notice, which was answered by, "no! no!" the chancellor of the exchequer moved, "That there be laid before the house a copy of the warrant from the lords commissioners of the treasury, directed to the auditor of the exchequer, dated the 31st of December, 1810; together with copies of the correspondence that had taken place between the lords of the treasury, and the auditor of the exchequer relative thereto." This motion after some observations respecting the imprudence of deferring the application to the exchequer until the period when the money was immediately wanted for the public service, was agreed to, and the papers presented and ordered to be printed.

The house having resolved itself into a committee for the discussion of this matter, Jan. 4, the chancellor of the exchequer after an

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introductory speech, moved, that, until due provision should be made for supplying the defect in the royal authority, the sums necessary for the services of the navy and army should be issued as before, according to the warrant of any three or more of the lords commissioners of the treasury. A long debate ensued, in which the members of opposition agreed, that the exigency of the case arose from the delays of the ministry in supplying the deficiency in the royal authority, and that the mode proposed of getting over the difficulty was an assumption of the executive power by both houses of parliament, for which they had no authority. The question being at length called for, several amendments were proposed, the tendency of which was to limit the sums to be drawn by the treasury, and to insure their application. These were all negatived, and the question was carried without a division ; the report was then brought up and ordered to be communicated to the lords.

On January 5, the resolutions of the commons being brought up to the lords produced a debate, opened on the part of ministers by the Earl of Liverpool, and some amendments having been moved which were negatived, the report was agreed to. A protest, however, against the resolution was ordered on the journals signed by twenty-one lords.

Much perplexity attended the proceedings in

both houses during the debates on the several clauses of the Regency Bill, resulting from the fluctuations of party, and the vacillations of opinion, whence proceeded a variety of amendments and re-amendments, admitted in one house, and rejected in the other, according to the prevalent feelings of the day. In several of the contested points the ministers were defeated; and at one time it seemed probable that the proposed restrictions would be in great part annulled; but at the actual passing of the bill it appeared that they had recovered their ground, a circumstance that may remarkably be attributed to the flattering reports of the king's progress in amendment, which excited sanguine expectations, that a very short period would intervene before he would be in a capacity for resuming the royal authority. After the draught of the proposed bill had undergone some considerable alterations, it was presented to the Queen and the Prince of Wales for their acceptance, which was signified by those personages, by their separate answers addressed to both houses jointly. In that of the prince, a regret was delicately expressed that he had not been allowed the opportunity of manifesting by his conduct, what were his reverential feelings towards his father and sovereign, and he accepted the office of Regent, restricted as it was,

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“ still retaining every opinion expressed by him on a former occasion.”

According to the plan adopted by the ministers in conformity to the precedent of 1789, the great seal was affixed to a commission for the opening of parliament, which ceremony took place on January 15, and on the 17th, the Regency bill was committed. Its clauses underwent fresh discussions in its passage through the two houses, and various amendments were proposed by the opposition, but negatived by the ministerial majorities. The last stand was made upon the duration of the restrictions, which Lord Grenville attempted to reduce from twelve months to six, but without success. In the debate on this subject, Lord Grey renewed, with greater force, a charge which he had on a former occasion brought against the lord chancellor, respecting his conduct in setting the great seal to a commission for giving the royal assent to various bills in 1804, while the king, who in that year suffered a return of his infirmity, was yet in a state requiring medical superintendence. He arraigned the chancellor on this account of a crime little short of treason, and forcibly urged the necessity of making effectual provision in the present bill against the recurrence of a similar circumstance. The lord chancellor defended himself with

vigour, and professed his readiness to submit the whole of his conduct on this occasion to the strictest investigation. Lord King, on the ground of this charge, moved, "that the name of Lord Eldon be expunged from the list of the queen's council." On a division there appeared for the motion 61, against it 189.

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Both houses having finally agreed on the clauses of the Regency bill, the great seal was affixed to it by commission, and on February 5, it received the royal assent. Strong protests were however made to the last by the opposition members against the fiction employed; of signifying the king's assent by the great seal to an act founded on that very incapacity, which disabled him from performing any legislative function, and the expedient was condemned in unqualified terms as fraudulent and unconstitutional. On the other side it was not denied that there existed an irregularity in the case, but it was contended that the peculiar circumstance occasioning the suspension of the royal authority, for which no legal provision had been made, rendered some irregularity unavoidable, and that the application of the great seal was the least that could be devised. The speech which, on this question, appeared to make the greatest impression, was that of Mr. Abbott, speaker of the house of commons, who

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had hitherto taken no part in the debates, and who after citing examples to prove that the great seal was to be considered not only as the organ of the royal will, but as the seal of the united kingdoms of Great Britain and Ireland, and that it was by no means unusual for parliament to direct and control its application observed, that if the present mode of proceeding were to be abandoned, and if the Prince of Wales were to take upon himself the exercise of the powers of government by an address, the great seal must still be applied to by the authority of parliament, for a confirmation of his power; consequently, parliament, by its own authority, could at once direct the great seal to be applied to the commission for giving the royal assent to the Regency bill.

Of the clauses in the bill, the most important of those relating to the Regent himself, were the following:—He was to exercise in the name of his Majesty, the royal authority belonging to the crown. He was to be deemed a person holding an office in trust, and was to conform to the statutes relating to persons under that circumstance. He was restrained from granting peerages, or summoning heirs-apparent, or appointing to titles in abeyance; likewise from granting offices in reversion, or for a longer period than during pleasure, except those which by law are granted for life, or good behaviour,

and except pensions to the chancellor, judges, &c. These restrictions were to continue till after February 1, 1812, and then to determine, provided parliament should be assembled, and had been sitting six weeks previously.

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With respect to the queen, the act vested in her the care of his Majesty's person, during his indisposition, with the sole direction of such portion of his household as should be deemed requisite for due attendance on his person, and the maintenance of his royal dignity, and the full power of nominating to all vacancies of officers of his household, with the exception of the lord chamberlain, the gentlemen, and grooms of the bed-chamber, the equerries, the captain of the yeoman of the guards, and the captain of the band of gentlemen pensioners. Her majesty was to be assisted by a council, and in case of death or resignation of any, she had authority to nominate others from among the members of the privy council.

The important affair of the restoration of the king in case of recovery, was provided for in the following manner:—The queen's council were to enact from time to time, and make a declaration of the state of his Majesty's health, of which a copy was to be transmitted to the president of the privy council, to be published in the London gazettes, and they might examine the attending physicians on oath. The queen

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and council, were to notify the king's restoration to health by instrument sent to the council, who were then to assemble and enter the instrument; after which entry, his Majesty might by his sign-manual require the privy council to assemble, and at his pleasure require proclamation to issue, when the powers of this act were to cease. The members of the council appointed by this bill, were the archbishops of Canterbury and York, the Duke of Montrose, the Earl of Winchelsea, the Earl of Aylesford, Lord Eldon, Lord Ellenborough, and Sir William Grant,

The feelings of the Regent on his accession to power were soon made known in a way the nation had not been prepared to expect. It was announced that the present ministers were to be continued in office. As the restrictions imposed on him, though some diminution of his influence, by no means prevented him from effectually supporting an administration of his own choice, it was obvious that some other cause had produced this unexpected determination. It cannot be doubted, that the expected short term of the regency, operated as well to disincline the prince to the delicate and somewhat invidious task of marking out the members of a new ministry, as to render the persons themselves who possessed his confidence unwilling to come forward and take

upon them, at such a critical period, the burthen and responsibility of offices, which they were likely to hold for a short time.

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That his Royal Highness really regarded his situation as that of the ceremonial, rather than the efficient head of the state, was apparently indicated by his declining to open parliament in person, and delivering by commission, February 12, a speech in no respect different, (except in as far as it touched upon the circumstance of the regency,) from that which the ministry would have dictated had the king still been sitting on the throne. With respect to foreign affairs, the speech expressed satisfaction on account of the fresh opportunities afforded during the last campaign, for displaying the valour of his Majesty's forces by sea and land; specifying the instances of the reduction of the islands of Bourbon and Amboyna, the repulse of the threatened attack upon Sicily, and frustrating the enemy's designs upon Portugal and Cadiz. In alluding to the disputes with America, it declared an earnest wish of an amicable termination, consistent with the honor of the kingdom, and the preservation of its maritime rights and interests. Of domestic concerns, it slightly adverted to the commercial difficulties of the country, and the deficiency of the revenue in Ireland, but held forth as a matter of consolation, the fact of a greater

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product of the revenue of Great Britain in the last year than was ever known before, though unaided by any new tax. It expressed the usual confidence in the zeal and liberality of the commons, "for the support of the great contest in which his Majesty was necessarily engaged," and concluded with the Regent's anxious wishes that he might be enabled to restore unimpaired into his Majesty's hands the government of his kingdoms.

The customary addresses in echo to the speech were moved in the house of lords by the Earl of Aberdeen, seconded by Lord Eliot, and in the house of commons by Mr. Milnes, seconded by Mr. Richard Wellesley. After some cursory observations, the addresses passed in both houses without a division.

An address of a very different nature from the lord mayor, aldermen, and commons of the city of London, was presented to the regent, on February 24. It was, in fact, a strong remonstrance respecting the insult lately received by the corporation of London, through the ministers of the crown; the grievances and distresses undergone by the country in general; the criminal deception practised by ministers in carrying on the government by the royal authority during his Majesty's incapacity; the restrictions laid upon his royal highness by the regency bill; and the defects of the representation in

parliament. The Regent's answer was guarded and general; the feelings suggested by his situation, were however, expressed where he assured the addressers, that "the happiest moment of his life would be when by the blessing of Providence he should be called upon to resign the powers then delegated to him, into the hands of his beloved and revered father and sovereign."

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Another proof of the manner in which the Regent received the temporary authority with which he was invested, was afforded in a communication made to the house of commons on February 21, by the chancellor of the exchequer stating that his royal highness on being informed that a motion was intended to be made for some provision for the Regent's household, declared that he would not, for his own personal magnificence, add another burthen to those already imposed on the nation. His royal highness by this means commenced his regency with great popularity.

The first subject of importance that came before the consideration of this parliament was a circular letter sent by Mr. Wellesley Pole, secretary to the lord lieutenant of Ireland, to the sheriffs and chief magistrates of all the counties in that kingdom, forbidding the meetings of the Catholic committee, and insisting that those who might cause such meetings should be

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arrested and committed to prison (unless bail were given) in pursuance of the provisions of an act of the 32d of the King, ch. 29. When information of this proceeding arrived in England, it excited much surprise and alarm, and on February 18, the Earl of Moira brought the matter before the house of lords. After expatiating on the impolicy and rigour of the measure, he concluded by moving that a copy of the circular letter should be laid on the table, the Earl of Liverpool insisted that the reasons for the procedure which was without the knowledge of ministers sufficiently justified it, and coupled with the noble earl's motion another, that a copy of the letter of the secretary of the Roman Catholic committee be also laid upon the table. After some other lords on both sides had delivered their sentiments, the two motions were put and agreed to.

The same subject was introduced into the house of commons, with similar observations by Mr. Ponsonby, and the same assertion of the previous ignorance of the measure was made by Mr. Perceval.

On February 22, the Marquis of Lansdown, after the same remarks relative to the two letters, moved for the production of all such dispatches as related to this subject, from and to the lord lieutenant of Ireland. After some discussion in which the precipitancy of the measure was con-

demned, the motion was negatived without a division.

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In the house of commons on the same day, a more interesting debate took place on a similar motion, made by the honourable Mr. Ward, whose speech principally tended to shew the little necessity for the measure in question, and the expediency of further information on the subject. However, on a division of the house, it was rejected by 80 against 43.

On March 3, Mr. Wellesley Pole appearing in his place in the house of commons, in consequence of the subject being revived by Mr. Ponsonby, vindicated the Irish government, and attempted to prove the necessity of the procedure. Mr. Ponsonby's motion was accordingly defeated by a large majority.

With the same effect, the Earl of Stanhope submitted the matter again to the consideration of the house of lords, April 4.

His Majesty's indisposition in 1804, became another topic of discussion in the house of commons. In that year the King was attacked with a return of his disorder, February 14, and it was announced to the public on the 15th. From that time, bulletins continued to be issued to March 22; but it was not till April 23, when his Majesty attended a council in person, that he could be considered as perfectly recovered. However, on the 6th of the preceding month,

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the chancellor, Lord Eldon, stated in the house of lords, that he had been with the King on the 5th, and also on the 4th, and after explaining to him the nature of a bill then pending, for alienating certain crown lands to the Duke of York, that his Majesty had commanded him to signify his assent to that bill. On March 9, a commission signed by the King was issued; and when Lord Eldon was asked on that day whether he had personal knowledge of the state of the King's health, he declared that he was aware of what he was doing, and would take the whole of the heavy responsibility upon himself. Mr. Whitbread brought this subject before the house of commons on February 25, observing that his Majesty was at that time, and to a period long posterior, unsound in mind; that he was incompetent to his functions; that his reason was clouded, and his judgment eclipsed. After further remarks, he concluded by moving "That a committee be appointed to examine the lord's journals for the evidence of the physicians, respecting his Majesty's state in 1804, and to report the same to the house."

Lord Castlereagh, as the only cabinet minister of that year then present, rose to defend the lord chancellor, and at the same time took upon himself an equal share of responsibility, respecting the transaction on which the charge was founded. His defence turned upon the

unanimous declaration of the physicians of the King's competency, to transact business on February 27, though in fact none was submitted to him till March 5, when the physicians again agreed that it might be done. Mr. Yorke followed as one of the ministers of that time; in confirmation of Lord Castlereagh's statements. Sir F. Burdett spoke in defence of the charge, and on a division of the house, the motion was negatived by 198 against 81.

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The growing commercial distresses of the country, now began to be so sensibly felt, that the attention of government was necessarily drawn to them; and on March 1, the chancellor of the exchequer moved for a committee to consider the state of commercial credit. On the report of this committee in the house of commons, March 11, the commercial credit bill was brought in, by which a sum not less than six millions, should be advanced to certain commissions, for the assistance of such merchants as should apply for the same, on their giving sufficient security for the repayment of the money so advanced. On the motion for the third reading of this bill, March 22, Mr. Whitbread stated his objections to it on the grounds of a possibility of its being made the means of an unconstitutional influence, and of its inadequacy to relieve the distresses of the country. On these objections he divided the house when

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the reading of the bill was carried by 41 votes against four.

On the third reading of the bill in the house of lords, April 1, the Earl of Lauderdale moved amendments to restrain the bank of England, under penalties, from issuing notes upon the proposed exchequer bills ; the purpose of which was to prevent a proportional increase of circulating paper. This motion was opposed by Lord Bathurst, and the bill finally passed. Its effects, however, were inconsiderable in relieving the distresses for which it was meant as a remedy. The sums applied for were to a less amount than the provision made ; for not many of those in embarrassed circumstances were able to furnish the required security ; and the radical cause of the evil was of a nature, which such relief was not at all calculated to remove.

This session Sir Samuel Romily renewed his endeavours to restrict capital punishments. Five bills introduced for this purpose, passed the house of commons ; but three of them were thrown out in the house of lords, and the other two bills relative to stealing from bleaching grounds in Ireland and England, passed without opposition.

Lord Holland, after some preliminary observations relative to the late extent of the attorney-general's informations *ex officio*, moved, in the house of lords, March 4, " That there be

laid before that house, a list of all the informations *ex officio*, filed by the attorney general, from the 31st of January, 1801, to the 31st of January, 1811, with the names of the persons against whom the informations were filed ;” promising that if his motion were agreed to, he should move certain resolutions, one, to confine the filing of *ex officio* informations to a certain period from the publication of the paper charged with being libellous ; another, that it be compulsory on the attorney general to bring the matter to trial within a certain time, or to state to the court the reasons why he does not ; and that after a verdict had against the defendant, judgment should be prayed against him within a limited time.

Lord Ellenborough opposed the motion, the noble lord not having stated any abuse or grievance as the foundation for it. Earl Stanhope and Lord Erskine supported it. The lord chancellor expressed his disapprobation, as the very adoption of the motion would, in some degree, sanction a suspicion that there was something improper in the administration of justice. On a division of the house, there appeared for the motion 12, against it 24.

The same topic was brought before the house of commons, March 28, by a similar motion from Lord Folkstone. He repeated all the arguments made use of by Lord Holland, but en-

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tered more into a personal attack on the attorney general attempting to show that great partiality had been displayed in his prosecutions by information, the objects of them being almost exclusively writers or editors in opposition to the ministry, while others, equally culpable for virulence and invective, had been passed over.

The attorney general, called up by this attack, went through a variety of particulars relative to the late prosecutions, in his justification.

Sir Francis Burdett took up the matter of prosecutions for libel on a general and constitutional ground, and asserted his conviction of the illegality of informations *ex officio*. He also took a view of the manner in which special juries are struck, and spoke from his own experience in his action against the speaker of the house of commons, respecting his warrant for committing him to the Tower. He was replied to in a personal manner by Mr. Stephen, who defended the conduct of the attorney general.

On the question being called for, there appeared for the motion 36, against it 119.

Mr. M. A. Taylor having taken a review of the delays in appeal and chancery causes and of the great evils resulting therefrom, moved in the house of commons, March 7, "That a committee be appointed to ascertain the number of appeals before the lords, and to report them to the house."

The chancellor of the exchequer admitted that there was a deficiency in the judicature alluded to, but thought they should wait the result of the inquiry set on foot by the lords.

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Mr. Adams proposed as an amendment, that the debate should be adjourned for a fortnight.

Sir Samuel Romilly gave his reasons for supporting the original motion. The house at length divided, and the amended motion for adjournment being lost, the previous question was put upon the original motion, and carried against it.

On May 30, the select committee of inquiry in the house of lords made their report. It was presented by the Earl of Liverpool, and stated generally the great increase of appeals and writs of error, then undecided, before that house, amounting to 338, of which 42 were writs of error. It also noticed the vast increase of business in the courts of chancery, for which causes it was impossible that the chancellor could dispatch this great arrear without some assistance being provided for him by parliament. Agreeable to the suggestions in this report, four resolutions were framed, which were agreed to by the house *nem. con.*

Mr. Taylor having resumed this subject in the house of commons, June 5, renewed his motion for the appointment of a committee. Sir Samuel Romilly thought that the report from the

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lords, communicated to that house, contained nothing which should prevent the formation of the committee moved for by his honourable friend. The measure proposed, of appointing another judge to assist the lord chancellor, he thought objectionable. The chancellor of the exchequer was of opinion that they should wait till the bill came down from the lords.

After Mr. Ponsonby and Mr. Adam had spoken for the motion, and Mr. Wilson against it, a division took place when there appeared an equal number, 36, for and against the motion.

The speaker then gave his casting vote in its favour, and a committee of inquiry was nominated.

The mutiny bill having passed the house of commons this session, in consequence of an amendment proposed by Mr. Manners, and carried by general concurrence, the punishment of imprisonment was adopted instead of the disgraceful punishment of flogging.

The distillery bill, which occasioned much debate, it being objected to as injurious to the interests of agriculture, passed the house of commons; but when its principles were discussed in the house of lords, May 6, as it was not made properly a ministerial question, the landed interest in that house proved fatal to the bill, and the motion for the second reading was lost by a majority of 20.

The chancellor of the exchequer, however, did not renounce his purpose of making the distillery productive of some relief to the colonial planters ; and on May 9, he obtained leave to bring in a bill for exonerating the distillers of spirits from sugar from the excess of duties to which they were liable in consequence of the expiration of the act of the 48th of George III. above the duties imposed by the said act. This bill having been brought in, read for the first time, and ordered to be read the following day, the minister gave notice that he should move for a bill to lay a duty on the distillation on grain, in the same manner as if the other bill had passed. Bills were at length passed by both houses, relative to these objects.

A message from the Prince Regent, on the subject of granting additional relief to Portugal, having been sent to parliament, it was agreed in both houses, that a sum not exceeding two millions should be granted for the purpose. The assistance afforded to this old ally did not terminate at this time with a public subsidy ; for in consequence of another message from the Regent, both houses unanimously voted, £100,000, for the relief of the Portuguese who had suffered by the French invasion.

A petition from the printers, booksellers, and publishers in the United Kingdom, was presented in the house of commons by Mr. H.

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Martin, stating the grievances which had occurred by a bill which had passed in the precipitation of alarm, during the progress of the French Revolution, obliging all printers to put their name and place of abode at the beginning, and if more than one leaf at the end, of every paper or book of whatever kind, that they should print ; subjecting them, in case of failure to a penalty of £20, for every single copy of such paper or book. Having obtained leave, Mr. Martin brought in a bill, called the printers' bill, which having been altered agreeable to the attorney general's suggestion, preventing the magistrates from imposing more than twenty-five penalties of £20 or £500, and empowering him to mitigate the fine to £5, was reported and afterwards passed into a law.

On March 21, Lord A. Hamilton introduced a motion in the house of commons, relative to the state of the press in India, which, after much discussion, was negatived by a majority of 35.

Much of the attention of the house of commons was at this time occupied by the consideration of the report of the committee, appointed in the preceding session, to examine the state of the bullion and currency of the kingdom. On May 6, Mr. Horner, in a committee of the whole house, introduced the subject in an elaborate and very intelligent speech,

His intention was, to divide the resolutions passed by the committee into two series; of which, the first set went to the causes of the high price of bullion; the second, to the effect and remedy.

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Mr. Rose, in reply, undertook to maintain three points—that it was not in the power of the bank materially to affect the circulation, and that not a guinea more would be seen, even were the bank restriction taken off.

This interesting debate was protracted by daily adjournments, till the 9th, and was conducted by many of the ablest speakers, on both sides of the house. When the question was put upon the first resolution, moved by Mr. Horner, it was rejected by 151 votes, against 75. This division decided the fate of all the other resolutions, except the last, the purport of which was to oblige the bank to recommence its cash payments at the expiration of two years, instead of six months, from the ratification of a definitive peace, which was also negatived by 180 against 45.

On May 13, the house being in a committee on the same subject, Mr. Vansittart introduced his rival set of resolutions, supported by the ministry. The debates upon these continued by adjournment to the 15th, when, after various amendments had been moved and rejected, they all passed.

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A subject of peculiar delicacy was introduced into the house of lords, by Lord Sidmouth, May 9, who moved for leave to bring in a bill, for amending and explaining the acts of William and Mary, and of the 17th of Geo. III. as far as they applied to protestant dissenting ministers. His lordship's proposed alteration in the act of toleration, which was, that a person, in order to be qualified for a preacher, should have the recommendation of at least six respectable householders, of the congregation to which he belonged, and that he should actually have a congregation willing to listen to his instructions. As several lords spoke in reprobation of the bill, and not one in its support, it was consequently rejected.

A bill was brought into the house of commons by Mr. Secretary Ryder, May 17, for an interchange of militia between Great Britain and Ireland. After some proposed amendments, which were rejected, it finally passed in both houses.

A petition from the Irish Catholics was presented by Mr. Grattan to the house of commons, May 20, who concluded a long and animated speech by moving that it should be referred to a committee of the whole house. Sir J. Coxe Hip-pesley, General Matthew, and Mr. Ponsonby, spoke in favour of the motion ; Dr. Duigenan, Lord Jocelyn, Mr. Bankes, and the chancellor of

the exchequer, against it. The motion was lost by a majority of 63. This subject was introduced to the house of lords by the Earl of Donoughmore, whose motion of a similar nature was rejected by a majority of 59.

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The financial business of this session having been settled without any debate, the restoration of the Duke of York to the post of commander-in-chief, which was the first act of the Prince Regent on the assumption of his office, which could be termed spontaneous, became the topic of much controversy. Lord Milton, one of the members for Yorkshire, moved, pursuant to notice, in the house of commons, June 6, "That upon a deliberate consideration of the recent circumstances under which his Royal Highness the Duke of York retired from the command of the army, in March 1809, it appears to this house, that it has been highly improper and indecorous in the advisers of the Prince Regent to have recommended to his Royal Highness the re-appointment of the Duke of York to the office of commander-in-chief."

The chancellor of the exchequer stated, in justification of the measure in question, that the gallant officer who had lately filled the situation of commander-in-chief had, after spending near half a century in the service of his country,

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contracted an illness, which obliged him to apply for liberty to retire, and that the Duke of York, in consequence of the eminent services he had rendered to the army, was deemed the most worthy to be his successor.

The supporters of the motion chiefly insisted upon the sense of the house respecting his Royal Highness's conduct, as implied by the resolution entered on its journals, consequent upon his resignation. The opposers, on the other hand, dwelt upon the services he had rendered by improving the military discipline, upon the general wish of the army for his re-appointment, and upon the severity of the punishment he had undergone. The motion was rejected by a majority of 249.

As the French government had not attended to the common rules between civilized belligerents, relative to the exchange of prisoners, there being about 50,000 French prisoners at this time in England, and not more than 10,000 British prisoners in France, that the cause of the failure of the negotiations, which had been set on foot in 1810, might be publicly known, Mr. Brand moved in the house of commons, June 13, "That an humble address be presented to the Prince Regent, praying, that he would be pleased to lay before the house copies, or extracts, of such communications as took

place in 1810, with the government of France, relating to an exchange of prisoners," which was agreed to without opposition.

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Notwithstanding the confident assertion of ministers and their friends, that no depreciation had taken place in bank notes, the fact of a diminution of their relative value to bullion became at length so glaring that it could no longer be denied, and its effects excited a general alarm. In this emergency, Earl Stanhope presented to the house of lords, June 27, a bill of which he had given previous notice, to make it illegal for any one to give more money for guineas, half guineas, &c. than the value they lawfully bear, and to make it also illegal to take bank of England notes, at a value less than they purported to be equal to. During the different stages of this bill, some proposed clauses were objected to ; others agreed to ; and the bill having passed in both houses, this session of parliament terminated.

The following session of parliament was opened on Jan. 7, 1812, with the Prince Regent's speech, delivered by commission, and commencing with the expression of deep concern for his Majesty's continued indisposition. It particularly adverted to the success of the measures adopted for the success and security of Portugal, and to the reputation acquired by the

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British and Portuguese troops, in their action with the enemy. The surprise of a French corps in Estramadura, by Lieutenant General Hill, was mentioned with commendation, from which a transition was made to the general merits of Lord Wellington in the direction of the campaign, and the spirit shown by the Spanish nation in their peculiar system of warfare. The speech also took notice of the success of the British arms in the reduction of Java, and the capture of the isles of Bourbon and Mauritius, and of the gallant conduct of the army under Sir Samuel Auchmuty and of the navy, by which it was seconded. Some regret was expressed, that the differences between this country and the United States of America still remained unadjusted ; but both houses were assured, that all means of conciliation would be employed consistent with the honor and dignity of the crown, and the maritime and commercial rights and interests of the British empire.

The usual echoing address was moved in the house of lords, by the Earl of Shaftesbury, and seconded by Lord Brownlow. Lord Grenville and Earl Grey declared, that they still retained the same objections to every part of a system which had brought the country into such an alarming situation, and which they had formerly

condemned. Some other lords having expressed their sentiments, the address was agreed to *nem. diss.*

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The proceedings respecting the speech in the house of commons were rendered remarkable by an unusual circumstance. After it was read by the speaker, and Lord Jocelyn was rising to move the accustomed address, Sir Francis Burdett rose at the same time, and having caught the speaker's eye, it was decided that he was in possession of the house. The baronet then, after a speech of warm invective against the principles of the war, moved an address to the Prince Regent, intended, he said, "to embrace every point which his own sense of duty to his constituents, and to the country in general, suggested to him as essential." Accordingly, the proposed address was framed in the style of a memorial, or remonstrance, laying before his Royal Highness all the instances of mis-government and oppression, of infringement of the public liberty, and accumulation of abuses, which, in the opinion of the mover, a series of past years had afforded. After it had been read, Lord Cochrane seconded the motion. Lord Jocelyn then moved the address, which he had prepared, by way of amendment to that proposed by the honourable baronet, and was seconded by Mr. Vyse. The house divided on Sir F. Burdett's address, which had only one

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vote in its favour, besides the two tellers, against 238. Lord Jocelyn's amendment was carried without a division.

The thanks of the houses of parliament were voted to Lord Minto, governor of India, on account of the conquest of the islands of Bourbon and Mauritius, and the operations in the island of Java ; also to the other officers, &c. concerned in these expeditions ; these are generally mere matters of course, in which ministers take the opportunity of gaining reflected approbation of their own measures. This motion, however, occasioned a debate in the house of commons, but was at length carried.

The near approach of the period in which the Regency act was to expire, rendered necessary a formal enquiry into the state of his Majesty's health. The reports of the physicians having been laid before the respective houses, January 13 and 15, were printed ; which, though they excluded any reasonable expectation of a recovery, cautiously avoided a positive declaration that it was absolutely despaired of.

A debate on a matter of little intrinsic importance, but one which gave an insight into the policy pursued by ministers in their connection with the Regent, occurred on a motion for a supply to his Majesty, made in the house of commons, January 9. Mr. Creevey, after observing that it was the duty of that house, to

examine several subjects connected with the revenue, before they entered into the consideration of the supply, adverted to an office lately bestowed on the Regent's confidential servant, Colonel Mac Mahon. In 1783, it had been stated in the 10th report of the commissioners for public accounts, that the office of paymaster of widow's pensions was a perfect sinecure, and ought to be abolished; and in one of the reports of the commissioners of military enquiry presented to the house in 1808, the same opinion had been confirmed, and it was added, that on the decease of the then patentee, General Fox, they presumed that the office would be suppressed; yet in the face of these two reports, the ministers of the crown had advised his Royal Highness the Regent, to confer the office on Colonel Mac Mahon. He concluded with moving an amendment, that the house would on the 17th resolve itself into a committee of supply, in order to give an opportunity in the interim for the consideration he had suggested.

The chancellor of the exchequer corrected the honourable gentleman's supposition, that the place in question was held by patent for life, and asserted that it had been distinctly communicated to the colonel, by his Royal Highness's command, that considering the circumstances under which the office stood, he was to

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hold it as subject to the view that the parliament might take of it.

Mr. Brougham considered the appointment as an insult to parliament, Mr. Croker defended it, and Mr. Whitbread thought the honourable gentleman had failed in removing the objectionable qualities of the case in question. On a division of the house, the amendment was rejected by a majority of 43.

The same subject was afterwards taken up by Mr. Banks, in a motion on the army estimates, and a motion being made, the house divided upon it, when the ministers were supported by a majority of 54 to 38. Mr. Banks, however, renewed the attack in a different motion on another day, and in a fuller house, when the arguments against the appointment, with its extreme unpopularity in the nation, outweighed the efforts of government, and a resolution passed, for the abolition of Colonel Mac Mahon's sinecure, by 115 voices against 112.

On January 14, the chancellor of the exchequer proposed several resolutions, recommending the prohibition of all distillation from grain in Great Britain, for a time to be limited. The bill went through a committee in both houses, and afterwards passed into a law. A similar prohibition was extended to Ireland in consequence of the then scarcity of grain.

During the early part of this session, much discussion took place relative to the king's household, and the whole arrangement was finally distributed into three bills proposed by the chancellor of the exchequer, viz. the King's household bill, the household officer's bill, and the Regency expenses bill. At the third reading, Mr. Bennet proposed a clause for incapacitating such officers as held places in the household from sitting in parliament, which was negatived, and the bill was passed. In the house of lords no debate occurred on it.

In consequence of the apprehensions created by the horrid murders committed in the metropolis, at the close of the year 1811, a committee was appointed on the motion of Mr. Secretary Ryder, January 18, consisting of the members for London, Middlesex, Westminster, and Surry, to take the nightly watch into consideration. No further proceedings took place on this subject, till March 24, when the committee presented to the house an elaborate report, in which they suggested a variety of regulations and improvements. A bill was passed upon those suggestions, but a petition having been presented against it, July 4, from one of the London parishes, and several members having expressed their disapprobation of its provisions on account of the expense, and the new and ex-

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traordinary powers which it would create, the further consideration of it was postponed.

On January 21, Mr. Brougham, pursuant to notice, called the attention of the house of commons to a question, which he stated to be simply this—whether the crown had the power to use certain sums of money without any grant from parliament, or even without its privity? He alluded particularly to the enormous fund, called the droits of admiralty, and after a long and eloquent speech, concluded with moving a string of resolutions. The motion was seconded by Mr. Brand.

After some observations on each side, the chancellor of the exchequer spoke with some severity of the “declamatory attack” made by the honourable mover. He thought it very extraordinary that any lawyer should call in question the legality of those droits as existing in the crown. Mr. Tierney moved an amendment, but the motion and amendment having been negatived, Mr. Brougham then moved for the appointment of a committee on the subject, against which was a majority of 68. Mr. Brougham repeated his last motion, Feb. 25, but with similar success.

Lord Folkstone having presented to the house of commons a petition from a young woman who had been thrown into goal at Bristol on a

writ, *de excommunicato capiendo* two years before, where she was detained from her inability of paying costs and fees, made it the foundation of a motion for a committee to be appointed to inquire into the state of the jurisdiction of the inferior ecclesiastical courts, and to report their opinion to the house. After some debate, Lord Folkstone on understanding that Sir W. Scott intended to bring in a bill on this subject, withdrew his motion.

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The attention of both houses of parliament was engaged early this session, with respect to the affairs of Ireland, where the proceedings of the Catholics in furtherance of their plan of petitioning by delegation on one hand, and the opposition of government to their measures on the other, had occasioned a considerable ferment at the close of the year 1811.

In the house of lords, January 31, Earl Fitzwilliam, after some observations moved for a committee of the whole house, to take into consideration the present situation of affairs in Ireland. The motion was seconded by the Duke of Devonshire, and a number of lords spoke both for and against it. After a very late sitting, the house divided, and there was a majority of 83 against the motion.

A similar motion for appointing a committee on the state of Ireland, was made in the house of commons, February 3, by Lord Morpeth. A

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debate ensued which was still longer and more copious than that in the house of lords, being continued by adjournment to the following day, when, at a very late hour, on a division of the house, the motion was rejected by a majority of 94—a proportion considerably less than that in the other house. It is observable that although the terms of these motions included a consideration of the general state of Ireland, the subject of the Catholics was alone the matter of discussion; whence these debates may be considered as only a renewal of those which had before occurred on direct questions, relative to the same topics.

On February 7, Mr. Bankes, pursuant to notice, brought in a new bill to prohibit the granting of offices in reversion; which the chancellor of the exchequer treated as of such slight importance, that it was not worth supporting at the hazard of a difference between the two houses of parliament. Several members however, spoke in support of the bill, and Mr. Whitbread remarked that the only two who opposed it were very principal reversionists. The bill was rejected, however, by a majority of two.

On March 10, Mr. Bankes moved for leave to bring in a bill to prevent the granting of offices in reversion for a time to be limited. Leave being given, he immediately brought in

the bill. The term of limitation which it proposed was two years. No opposition being made to it in its progress, the bill was brought into the house of lords, and the house having resolved itself into a committee on it, April 10, Earl Grosvenor moved as an amendment that the suspension instead of being continued till 1814, should be continued to 1840. After some debate the amendment was negatived without a division, and the bill afterwards passed into a law without further discussion.

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In consequence of the disturbances in the town and county of Nottingham, occasioned by the practice of frame-breaking having been organized into a regular system, which the exertions of the magistrates, with the aid of military force, were found unable to counteract, Mr. Secretary Ryder on February 14, introduced to the house of commons two bills for the purpose of adding new legal powers to those already subsisting, for the more exemplary punishment of persons destroying or injuring any stocking or lace-frames, or other machines or engines used in the frame-work knitted manufactory. The first bill during its progress was vehemently opposed in both houses, particularly in the house of lords, where it was treated with greater severity than in the house of commons. It was, notwithstanding carried, and the fellow bill,

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having been new modelled in many parts, passed into a law.

Mr. Benjamin Walsh, a member of parliament, having been guilty of a very great breach of trust in his business of stock broker, for which he had been tried at the Old Bailey and convicted of felony: but had afterwards obtained the royal pardon on the ground that the crime did not properly amount to felony, was, on the motion of Mr. Banks, February 25, expelled from the house of commons. A debate, however, took place on his proposed expulsion, Sir Arthur Piggott having adduced various arguments to prove the incompleteness of the evidence before the house of Walsh's guilt; but the motion was carried by 101 against 16.

The gold coin and bank note bill was again introduced to the notice of the house of commons, March 17, by a motion from the chancellor of the exchequer for its continuation with certain amendments. Leave having been granted by a majority of 47, after some opposition it was passed in both houses, and by its amendments accomplished the purpose of rendering Bank of England notes legal tender; and by disallowing any limitation of that company by the issue of its notes and unrestricted power of coining silver tokens of less than their nominal value, the whole circulating medium of the country is placed in its hands.

Among the parliamentary discussions of this session, one of the most remarkable related to the different attempts under the regency, now freed from its restriction, to form a new or strengthened administration. There had been made public in the month of February, a letter from the Prince Regent to his brother the Duke of York, expressing a wish that at this "new era" his government might be strengthened by the accession of some of those persons with whom the early habits of his public life had been formed, and desiring that this wish might be communicated to Lords Grey and Grenville; and also a letter in reply from those lords in which they state the impossibility of their uniting with the present administration, on account of differences of opinion concerning the most important political measures. Lord Boringdon, in consequence, moved in the house of lords, March 19, an address to the Prince Regent, beseeching him to form an efficient administration. Viscount Grimstone expressed his dissent from the motion and, while proceeding, was called to order for making a personal allusion to the Regent. This occasioned a warm debate on the point of order, which being terminated, Lord Grimstone moved an amendment on the motion which was, in effect, an omission of all its substance and the substitution of an expression of perfect satisfaction, with the con-

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duct of affairs since the commencement of the Regency.

Lord Darnley spoke against the amendment, and was followed by several other lords, particularly Lord Grey, who stated the points which had induced himself and Lord Grenville to decline an union with the present administration which was formed on the express principle of resistance to the catholic claims.

The amendment was carried by a majority of 96, and the original question was negatived without a division.

A message was sent to both houses from the Prince Regent, March 20, respecting a provision for the princesses. The message was taken into consideration in the house of commons on the 23d. The chancellor of the exchequer proposed that to each of the four princesses there should be granted the sum of £9000 per annum, exclusive of £4000 from the civil list; at the death of one of them the survivors to have £10,000 each, and the same to continue when there should be two survivors only; the sole survivor of the whole to receive £12,000. He concluded with moving an annuity of £36,000 to be granted to the king for the purpose above mentioned.

During this discussion the cause of the Princess of Wales was taken up by some of the members in opposition, and became the principal topic of the debate. Mr. Tierney insisted

that her provision was comparatively inadequate to her high station. She was the wife of the Regent, and as much the representative of the Queen as the Regent was of the King. On the question for the third reading of the bill, April 17, Mr. Tierney moved an amendment that instead of dating the bill from February 18, 1812, to limit its taking effect to the King's demise. This amendment having been rejected by a majority of 66, the original clause was agreed to and the bill was passed. It met with no opposition in the house of lords.

On February 27, as is common at the beginning of a session, Sir Thomas Turton moved "That this house will resolve itself into a committee of the whole house, to take into consideration the state of the nation." This motion was seconded by Mr. Tighe, and after a debate, there appeared on a division of the house, a majority of 73 against it.

The subject of the orders in council, which constituted so important a part of the negotiations between this country and the United States of America during the preceding year, became prominent in the present discussions of parliament. A motion for the appointment of a select committee to take into consideration the effects of the orders in council was made by the Marquis of Lansdown in the house of lords, February 28, and after several lords had

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delivered their sentiments, it was negatived by a majority of 64. A similar motion was made by Mr. Brougham in the house of commons, March 3, against which was a majority of 72.

The bill which had been carried respecting offices in reversion, though laudable in its principle, was evidently incapable of doing much towards the relief of the national burdens; its author, therefore, Mr. Bankes, with a view of striking a more effectual blow against the waste of public money, moved on March 24, in the house of commons, for leave to bring in a bill for abolishing and regulating sinecures and offices executed by deputy, and for providing other means for recompensing the faithful discharge of high or effective civil offices, and for other economical purposes. Leave was granted, and Mr. Bankes, Mr. Wilberforce, and Mr. J. W. Ward, were ordered to prepare the same. The bill when framed did not come to a discussion till May 4; and though opposed by Mr. W. Dundas, the Lord Advocate of Scotland, the chancellor of the exchequer, &c. the general sense of the house was decidedly in its favour, which, on a division, was proved by a majority of 14. The bill afterwards passed the house without further opposition. It did not arrive to its second reading in the house of lords, till July 3. On that occasion the lord chancellor spoke of its provisions with great

contempt, and moved that it be read a second time that day three months. On a division, the lord chancellor's motion was carried by 35 votes against 8, and thus the bill was lost, and with it all the hopes of alleviation of the public burthens, which it might have produced.

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After Colonel Mac Mahon had been deprived of his place of pay-master of widows' pensions, he was remunerated by the appointment of keeper of the privy purse, and private secretary to the Prince Regent. This circumstance was noticed in the house of commons, March 23, by the honourable J. W. Ward, who desired to be informed by the chancellor of the exchequer, what salary was attached to these places, and what were their duties. The right honourable gentleman in reply, said, that he presumed the honourable member was not ignorant that Colonel Taylor had held the same offices under the king, and the same salary which he received, was continued to Colonel Mac Mahon. The duties were various and important. Mr. Whitbread inquired whether before the nomination of Colonel Taylor, as private secretary to the king in consequence of his infirmity of sight, any such place had existed; and also whether Colonel Mac Mahon was to be paid out of the same fund that Colonel Taylor had been. The chancellor of the exchequer admitted, that no private secretary to the king had been appointed

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before his defect of sight; and upon being asked by Mr. Ward if he had any objection to name the adviser of the present appointment, he said, he had not the least hesitation in mentioning that it was himself. On April 14, Mr. C. W. Wynn, pursuant to notice, moved for the production of the appointment of Colonel Mac Mahon to the new office of private secretary to his Royal Highness the Prince Regent. After producing a warm debate, the motion was rejected by a majority of 76.

Although the ministry were in this respect victorious, they were doubtless sensible that the idea of a new burthen imposed upon the country under circumstances of such dubious propriety, excited much public severity. They therefore took the hint of one of their friends, (Mr. Wilberforce,) who, in defending the appointment, had expressed a wish that the salary of the new secretary had been paid out of the Regent's privy purse; and this alteration was afterwards announced by the chancellor of the exchequer.

One of the debates in which the influence of the crown, in impeding the due limitation of the public expenditure, appeared to give the most general offence, was that on the barrack estimates. On April 13, Mr. Wharton moved in the committee of supply, "that a sum not exceeding £554,441 be granted for the expense

of the barrack department for the current year." Mr. Freemantle thought there were many things in these estimates which required explanation, and Mr. Huskisson having observed, that the expenses were both enormous and expensive, proposed an amendment that the grant should be reduced to £400,000. The amendment was rejected by a majority of 48.

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The report of the committee of supply being brought up and read on the 14th, Mr. Freemantle again objected to the extravagance of the barrack estimates, and after some conversation it was agreed, that the articles which related to it, should be deferred to that day sennight.

The further consideration of this business, however, did not take place till May 1, when Mr. Freemantle renewed his objections, and moved the substitution of £437,000 for the purpose, instead of £524,000. Several members spoke against the extravagance of the barrack system, and the unnecessary multiplication of these erections. The division sufficiently proved the impropriety of the plans brought forward, by the comparative smallness of the ministerial majority, which was only 22.

On April 15, the honourable Mr. Bennet, according to notice, called the attention of the house of commons to the corporal punishments inflicted in the army, and after some general observations on the ignominy and cruelty at-

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tending the practice of flogging, moved, "that there be laid before the house, a return of the number of corporal punishments inflicted in the army, in the militia and in the local militia for the last seven years, specifying the offences, &c." This motion was supported by Mr. Abercromby, Mr. W. Smith, Sir F. Burdett, Mr. W. Wyatt, Sir S. Romilly, &c. It was opposed by the chancellor of the exchequer, and negatived by a majority of 32.

The friends to the claims of the Irish Catholics, notwithstanding the several defeats of their efforts in parliament, were determined not to relinquish a contest, success in which appeared to them of so much public importance; and a great number of petitions on the subject having poured in from the catholics of the different counties in Ireland, supported by those of the protestant inhabitants in various parts, as well as by other bodies, it was thought expedient again to bring the topic to discussion in both houses of parliament. On April 21, the Earl of Donoughmore moved, in the house of lords, for the appointment of a committee to take into consideration the laws imposing disabilities on his Majesty's subjects professing the catholic religion. A long debate ensued, in which every argument was repeated which had been urged in the former discussions of the catholic question; after which a majority of 72 appeared

against the motion. A similar motion which was made by Mr. Grattan in the house of commons, April 23, was rejected by a majority of 85.

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Notwithstanding the tenacity with which the ministers had maintained the policy of the orders in council, the increasing distresses of the manufacturing parts of the kingdom, and the serious disturbances thence arising, could not fail of rendering them desirous of making such relaxations as might tend to open the former channels of commerce. Consequently a declaration in the name of the Prince Regent was issued, on April 23, purporting "that if at any time the Berlin and Milan decrees, should by an authentic act be absolutely repealed, thenceforth the orders in council should be revoked; and as a copy of a decree of the government of France, passed April 28, had been transmitted by the United States, by which the decrees of Milan and Berlin were declared to be no longer in force with respect to American vessels, the Regent, being disposed to re-establish the usual intercourse between neutral and belligerent nations, is pleased to declare the orders in council revoked as far as concerns American vessels and cargoes." In the mean time petitions against the orders in council were pouring in from the towns most affected by their operation, and on April 28, Lord Stanley

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moved in the house of commons, for a committee for taking them into consideration. After some conversation, the question being put, it was accordingly agreed to, and it was ordered, that the committee on the orders in council should sit the next day, and be continued from day to day. On the motion of Mr. Brougham, witnesses were summoned from Birmingham, Sheffield, Manchester, &c.

A similar motion was made by Earl Fitzwilliam in the house of lords, May 3, which was also agreed to.

A circumstance having occurred tending to increase the animosity of the Americans against this country, it became about this period a subject of discussion in parliament. It seems the president of the United States, sent a message to Congress asserting, that an authorised agent of the British government, Captain Henry, had been sent by the governor of the British territories of North America into the adjacent states, in order to foment discontents, for the purpose of detaching them from the union.

This heavy charge being transmitted in the American newspapers, Lord Holland rose in the house of Lords, April 28, and said he hoped the noble lord opposite would be able to satisfy the public, by a contradiction of the assertion. The Earl of Liverpool in reply, declared that Captain Henry was not employed by govern-

ment at all, nor was any person sent for the purpose of fomenting discontents in the United States. Mr. Whitbread introduced the subject in a similar manner in the house of commons, and received a similar answer from Lord Castlereagh; but not being satisfied therewith, he declared his intention of moving for the production of the governor's correspondence on this subject. A motion to this effect was made by Lord Holland in the house of lords, and after a warm debate it was negatived by a majority of 46. No further proceedings on this subject took place in the house of commons during the present session.

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Another attempt to lessen the national expenditure, though of small magnitude in its object, was made by Mr. Creevey, May 7, who called the attention of the house of commons to the two tellerships of the exchequer, held by the Marquis of Buckingham and Lord Camden. The places, he observed, had been given as rewards for the services of the fathers of these noblemen, and he did not mean to find fault with their distribution, but his objections were that their emoluments were indefinite in their amount, and disproportioned to the circumstances of the nation. The fees of these officers were of such a nature, that they rose exactly in proportion to the distresses of the country. He concluded by moving certain re-

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solutions, of which the six first related to the facts of the grant of the offices of tellers, (performed entirely by deputy,) to the present possessors and their past and present emoluments; the seventh stated it to be the duty of parliament to exercise its right still further over the fees paid out of the public money at the exchequer, so as to confine the profits of the Marquis of Buckingham and Lord Camden to some fixed and settled sum, more conformable in amount to the usual grants of public money for public services. Several members spoke on the subject, for the most part in favour of the rights of the tellers, and Mr. Creevey's resolutions being severally put, the previous question was carried against each of them.

The subject of reform of parliament was again taken up in the house of commons, Mr. Brand having, pursuant to notice, May 8, submitted to the house a motion on the present defective state of representation, which after a copious debate was negatived by a majority of 127.

The examinations relative to the facts alleged in the various petitions on the subject of the orders in council went on regularly in both houses, till they were suddenly interrupted by the assassination of the chancellor of the exchequer. On Monday, May 11, 1812, in the afternoon, at about a quarter past five, as Mr.

Perceval was entering the lobby of the house of commons, he was shot by a person of the name of Bellingham, who had placed himself for that purpose near the side of the door of the lobby, leading from the stone staircase. Mr. Perceval was in company with Lord F. Osborne, and immediately on receiving the ball, which entered the left breast, he staggered and fell at the feet of Mr. W. Smith, who was standing near the second pillar. The only words he uttered were—"Oh! I am murdered," and the latter was inarticulate, the sound dying between his lips. The report of the pistol immediately drew great numbers to the spot, who assisted Mr. Smith in conveying the body of Mr. Perceval into the speaker's apartments; but, before he reached them, all signs of life had departed. Mr. Perceval's corpse was placed upon a bed, and Mr. Lynn, of Great George-street, who had been sent for, arrived, but too late even to witness the last symptoms of expiring existence. He found that the ball, which was of an unusual large size, had penetrated the heart near its centre, and had passed completely through it. From thence the body was removed to the speaker's drawing-room, by Mr. Lynn, and several members, and it was laid on a sofa.

The horror and dismay occasioned by the assassination of Mr. Perceval prevented any attention from being paid to other persons, and it

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was not until the right honourable gentleman was raised from the floor that a person belonging to the vote-office exclaimed, "Where is the villain that fired?" when a person of the name of Bellingham, who had been unobserved, stepped up to him and coolly observed, "I am the unfortunate man." He did not make any attempt to escape, though he had thrown away the pistol by which he had perpetrated the horrid deed, but resigned himself quietly into the hands of some of the bye-standers. They placed him upon a bench, near the fire-place, where they kept him, and all the doors were closed, and the egress of any person prevented. When the assassin was interrogated as to his motive for this dreadful act, he replied, "My name is Bellingham—it is a private injury—I know what I have done—it was a denial of justice on the part of government." At this time the prisoner was in no legal custody, but was surrounded by many members, who insisted that he should be taken into the body of the house. The criminal was, however, previously searched, to which he made no resistance, and upon his person was found a steel pistol, loaded, about seven inches in length, (the fellow to that with which he had effected his fatal purpose, which had been secured,) with a short screw-barrel, and a bundle of papers, folded like letters.

Two messengers then conveyed the prisoner

to the bar of the house of commons, where the utmost confusion and anxiety prevailed. The speaker had quitted the chair, the house having resolved itself into the committee on the orders in council ; but, on hearing the afflicting intelligence, he returned and resumed his seat. Order having been restored, General Gascoigne said, in an audible voice, " I think I know the villain ;" and walking up to the assassin, and looking in his face, inquired, " Is not your name Bellingham ?" He returned no answer but by shaking his head, and stood afterwards motionless, and apparently composed, resting his hands upon the bar, and looking directly forwards to the chair.

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The speaker then proposed, in a firm voice, that the criminal should be conveyed to the prison-room, and that a magistrate should be sent for to receive the examination of the witnesses of the shocking transaction. He also stated, that in order that the prisoner might be less able to attempt an escape, or a rescue be affected by accomplices, it would be fit that he should be conducted to the place of confinement, not through the lobby where the murder had been perpetrated, but through the private avenues round the house.

This proposal was highly approved, and the speaker further observed, that it might render the detention of the criminal more secure if

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members would precede, in order to see that all the passages were clear.

A great many gentlemen immediately rose to comply with the request, when Mr. Whitbread, in a tone of voice which betrayed the difficulty he felt in commanding his feelings, observed, that to prevent confusion it would be better if those members who should go before for the purpose of seeing that the passages were clear were named from the chair, or the eagerness of all to fulfil the undertaking would prevent its proper execution.

Mr. Abbot added, that it would be right that the utmost precaution should be used, not only lest the criminal should injure others, but should attempt violence on himself. He then named Mr. Whitbread, Mr. Long, and Mr. Bootle, who directly left the house to clear the avenues to the prison-room. The assistance of several other messengers was called in, who followed with Bellingham in their custody, and they were succeeded by Lord Ossulston, Mr. Villiers, Mr. Manning, Mr. Wharton, Mr. Pole, and about ten others.

Mr. Abbot also directed that all members who were magistrates of Middlesex, as well as all persons who had witnessed any part of the transaction, should attend the committee, to examine and to give evidence.

Sir C. Burrell produced the loaded pistol

taken from the prisoner, and another member the bundle of papers found in his coat pocket.

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The house was then adjourned.

Bellingham was conducted, without the least resistance, to a large room beyond the termination of the upper lobby, where the magistrate, (Mr. Watson, serjeant at arms of the house of lords,) who had been sent for, attended; Mr. Alderman Combe, Mr. Angelo Taylor, and other magistrates, assisted at the examination.

The magistrates considered the evidence sufficient to warrant the committal of the prisoner, and he accordingly stood committed. The examination then closed, and the witnesses were bound over to prosecute. Lord Castlereagh, Mr. Canning, Mr. Whitbread, and other members were present at the examination.

In the house of lords, as soon as the rumour of this melancholy event arrived, the greatest agitation was manifested. The fact of Mr. Perceval's death and the adjournment of the commons being ascertained, the Earl of Radnor moved an humble address to the Prince Regent praying that his royal highness would be graciously pleased to direct such steps to be taken as he should deem expedient for the apprehension of the offender or offenders, which was agreed to *nem. con.*

The Prince Regent sent a correspondent answer to this address, and on the following

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day a message was received from him by both houses recommending a provision for the numerous and afflicted family of Mr. Perceval. Lord Castlereagh opened the business in the house of commons, and proposed the sum of £50,000 for the children, and £2000 per annum for the widow. The first resolution passed *nem. con.* as did also the second; but this unanimity was disturbed by a motion by Mr. H. Sumner, "That the annuity of £2000 should, after the decease of the honourable Jane Perceval, go to such male-descendant as shall be at that time the right honourable Spencer Perceval's heir for the term of his natural life," which was carried by 136 against 23. Mr. Huskisson afterwards proposed an additional grant of £1000 per annum to the eldest son (then at the university) on his reaching the age of twenty-one. A debate ensued, and after the original resolution and a motion for adjournment had been negatived, Mr. Huskisson's amendment was agreed to.

John Bellingham, having been found guilty at the Old Bailey of the murder of the right honourable Spencer Perceval, was executed, pursuant to his sentence, before Newgate, May 18.

On May 21, Mr. Stuart Wortley submitted to the house of commons a motion for an address to the Prince Regent, praying his royal highness to take such measures as might be best calcula-

ted to form an efficient administration, which was seconded by Lord Milton, and opposed by Mr. Eyre, who moved as an amendment, "That the other orders of the day be now read." After a debate, there appeared for the amendment 170, against it 174, being a majority of four against ministers. The address was accordingly presented and a change in the ministry now became an interesting topic. It was afterwards made known that the Prince Regent had given directions to the Marquis of Wellesley to take such measures as appeared the best calculated for the purpose; which Marquis Wellesley acknowledged in the house of lords, June 3, but, on that very day, said he had tendered to his royal highness his resignation of the authority thus vested in him, having given his opinion on the subject with the freedom which his duty demanded.

On June 7, Mr. Stuart Wortley brought forward a motion in the house of commons respecting the failure of the negotiations for a new administration. After two amendments of Mr. Wortley's motion had been put and rejected, the motion itself was negatived without a division, and thus the old ministry remained decidedly in possession of the countenance of the house of commons.

A vast mass of evidence respecting the orders in council being at length collected, Mr.

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Brougham, on the 16th of June, resumed the subject in the house of commons, and proposed an address to the Prince Regent for the suspension of the said orders. Lord Castlereagh moved the order of the day, but Mr. Brougham and Lord Castlereagh severally withdrew their motions on the understanding that an official instrument on the subject should appear in the next gazette. Accordingly, in the gazette of June 23, a declaration from the Prince Regent appeared revoking the orders in council as far as they regarded American vessels; but before the news of the repeal reached the United States, they were actually at war with Great Britain.

The effect of the debate on the barrack estimates was manifested when the new chancellor of the exchequer (right honourable Nicholas Vansittart) brought forward his budget, June 17. He informed the house that an additional vote of £90,000 for the barrack department had been agreed to, but that the treasury had determined to strike off the sum; which diminution proceeded from a resolution to postpone the execution of the projected barracks at Mary-le-bone Park, Bristol, and Liverpool.

Of the new taxes proposed by Mr. Vansittart, that principally opposed in parliament was the additional duty on leather. Notwithstanding several members objected to this tax on account of its severity, there appeared, on a division for

bringing up the report, a majority of 26 in its favour. A division took place on the third reading of the bill, in which the leather clause was carried by a majority of only 8. The bill then passed the commons.

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When introduced to the house of lords, the tax on leather encountered an opposition on similar grounds, but was, however, carried.

The only other debate on the taxes occurred on the order for the third reading of the assessed taxes bill in the house of commons, June 20. The clause imposing an additional duty on horses employed in agriculture was opposed by Mr. Westerne, who moved its omission. It was also objected to by other speakers as injurious to husbandry, and oppressive to the lower class of farmers. It was, however, carried by a small majority.

During this whole session, petitions from every seaport and manufacturing town of the least consequence in England and Scotland continued to be sent to parliament against the renewal of the monopoly of the East India company, and the pressure of business prevented the further discussion of this subject.

The disturbances consequent upon the numbers of workmen thrown out of employ, by the diminished demand for the manufactures of the country, occasioned a bill for the preservation of the public peace, by giving the justices ad-

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ditional powers for a limited time ; which was submitted to the house of commons by Lord Castlereagh, June 29. This bill, after a debate in both houses, was passed with some alterations. Its operation was limited to March 25, 1813.

At the close of this session, June 22, Mr. Canning moved for a future consideration of the Catholic question. A similar motion was made by Marquis Wellesley in the house of lords, July 1, and the result in both houses was very much in favour of an inquiry into the catholic claims.

On July 10, Lord Castlereagh brought in a bill to repeal certain acts and amend other acts relating to religious worship and assemblies and persons teaching or preaching therein. After much discussion in both houses, the bill was passed. The chief opposer in the house of lords was Earl Stanhope, as the present bill he thought very inferior to the one which he had proposed, without success during the preceding session.

Lord Holland renewed his attack on *ex officio* informations, July 3, by presenting to the house of lords two bills relative thereto. Lord Ellenborough moved "that it be rejected," and this amendment, after a debate, was carried by a majority of 9.

This question acquired additional interest from a circumstance which happened about this time in Ireland, and was noticed in the house

of commons, July 13, by Mr. Sheridan, who stated that an *ex officio* prosecution had been commenced against Mr. Fitzgerald, a printer in Ireland, for the publication of a pamphlet, containing a statement of the various acts affecting the Roman Catholics, accompanied with observations which he had read, and saw nothing libellous but the acts themselves. Deeming such a proceeding illegal, pursuant to notice, he moved, July 21, for the production of a copy of it. Mr. Wellesley Pole could not possibly agree to the paper being laid on the table, as trials were now pending on the question. The speakers who followed deviated still further from the proper subject of the motion, to which Mr. Sheridan, in his reply, recalled the attention of the house. The motion, however, was negatived by 67 against 23.

A bill to prevent the escape of French prisoners, by rendering the aid afforded for this purpose a felony, instead of a misdemeanor, punishable by transportation, was submitted to the house of commons, July 14, by Lord Castlereagh; and having met with no opposition in either house passed into a law.

This long session was terminated on July 30, by a speech from the Prince Regent, delivered by commission, approving of all the measures that had been adopted. A dissolution of parliament accordingly took place.

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CHAPTER XXVIII.

RECAPITULATION.

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WILLIAM the First obtained the crown of England, by the favour of the clergy, and not by the power of his sword, as they would seem to intimate, by his surname of conqueror; a name imposed upon him, after his death, by the clergy, in order to screen the infamy of their own actions from posterity, that future generations might ascribe the miserable state of the people to the conquest of William, and not to the dark treachery of a body of men who had, under a mask of religion, abused every trust of confidence reposed in them; and betrayed their flocks, bound hand and foot like sheep to the slaughter.

From this time, civil and religious tyranny walked hand in hand, two monsters, till then unknown in England; which are equally the common enemies to mankind, and have at all times, united against every principle both of civil and religious liberty. This is the true origin of the alliance between church and state, so much contended for by some of our ecclesiastics, who have renounced the penances of

popery, but would fain retain both its pride and its power.

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After the coronation of William I. was well over, in the year 1066, it was hinted to the cities, boroughs, and other incorporated bodies of men in the rural tithings, that a present to their new king would be acceptable; and the king, in a proclamation, confirmed the ancient rights and privileges of the people. We only mention this to show, that there were incorporated bodies of men at that time; and that their incorporated rights were acknowledged, by William himself, before any bodies of men were incorporated by the charters of the succeeding kings.

In the year 1068, the king openly declared the tyrannical principles upon which he intended to govern the kingdom, by an act which could not be mistaken. And that was by imposing, by his own authority, without the consent of parliament, or any body of men elected by the people, what the ancient historians call an intolerable tribute; which some have confounded with a tax called *danegeld*; however, it is no matter what they call it, it was taxing the subject, without the consent of parliament. From this time, all confidence vanished between the king and the English, who now saw plainly they had no security, either for their persons, or property.

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And they were not mistaken ; for soon after the king seized upon the estates of such as he had reason to suspect, and imprisoned their persons at his pleasure : and in order to keep the nation more in subjection to his will, he built castles in many parts of the country, and garrisoned them with Norman soldiers. After this he obliged them to deliver up all their arms, and forbade them the use of fire and candle after the evening bell had rung eight o'clock. Yet, notwithstanding all these precautions, the king could not prevent many conspiracies, and some attempts to recover their liberty ; but which being frustrated, only served to make their condition the more intolerable.

The king, at first, seems to have been inclined to draw a line between the sovereign authority in the state, and the internal police of the country. With regard to the first, he was resolved, by an arbitrary power, to keep it in his own hands, and make his edicts carry the force of law, without any regard to the elective power in the Saxon parliaments, which he was determined to abolish, and not to suffer them to meet and control his acts of state. So that, by these means, he usurped an absolute power over the lives and property of his subjects ; by not permitting the house of commons, or, as it was then called, the common council, to assemble ; which was the true cause of the contest between

the king and his people. But with respect to the internal police of the country, so far as relates to the keeping of the peace, and doing justice between man and man; we apprehend he had some intention of continuing it upon the old Saxon foundation, as it was vested by them in the people of the respective tithings. However the only reason we have to suppose this is, because he did not destroy the elective power of the people in the towns and rural tithings, till the year 1070, which was four years after his coronation.

The king was a man of too much penetration not to see after what had happened, that by continuing the towns and rural divisions incorporated, he continued so many enemies incorporated and united their strength against himself; except he could have persuaded the English to have been satisfied to walk in a narrower circle, and confine themselves merely to keep the peace in their respective divisions. But when the king found the English were calling in foreign aid, and especially the Danes, who had great pretensions to the crown, and much natural interest in the country, he plainly saw that all temporizing measures were at an end; and therefore resolved, in the year 1070, to destroy the elective power of the people, root and branch; and consequently to dissolve all incorporated bodies.

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For the better execution of this design, he previously put his garrisons and fortifications in a proper state of offence and defence; and at the same time, had an army of Normans in the field ready to march against all disobedient opposition. He then published an absolute order, forbidding all elections in every town and rural division in the kingdom. This was putting his finger upon the great artery of the constitution, and stopping the circulation of all power arising from the Saxon principles of government; which, in a moment, extinguished all appearance of the life of liberty in this land. This action is what historians would endeavour to hide by slightly passing it over, with only observing that he suddenly removed the English from such posts as gave them any power and influence over their countrymen.

As all officers and authority, in the interior departments of the state, sprung from the people, it is very evident that by their elective power being now abolished, the names of the offices and officers, proceeding from thence, must likewise be abolished. For it is acknowledged by all authors, that from this time we hear no more of the Saxon *ealdomen* and *thanes*, which were titles of office, and not titles of honour. But from this period, there appeared new orders of men, with new authority derived from the king, which were entitled counts, vis-

counts, barons, mayors, vavasours, esquires, and others ; names taken from the Norman and French tongue. CHAP.
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It was out of these orders of men, whose titles were titles of honour, and not titles of office, to which we must add the clergy, that the king formed his assistants, in the execution of his new plan of government ; under which England was held in slavery and bondage for one hundred and forty-seven years. He placed the legislative authority in himself, and a great council composed of the dignified clergy, and the nobility of the realm, (the latter of which were of his own creation), all subject to his own summons ; and he generally assembled this great council three times a year ; at Christmas, Easter, and Whitsuntide. From many circumstances, it appears, that the king admitted a right, in this body of men to consent to such laws as should be binding upon the people.

Whoever gives himself a moment's reflection upon the nature of this great council, must see that though the king created all the nobility of the realm, yet the Pope nominated all the dignified clergy to their bishopricks, abbeys, and other benefices ; which gave them a title to their seats in the legislative authority. And consequently the Roman pontiff, a foreigner at the head of the hierarchy, had perhaps more influence in making the laws of England, than the



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king and all his temporal lords ; therefore it is no wonder, that the clergy should incline those laws to pillage the people in the manner they did, for so many ages.

As to the rest of the business of the nation it was under his own direction ; he appointed all the officers that were to preside over the people both civil and military ; and nominated his Norman counts to be governors over the shires ; from whence they took the name of counties. A count was then the highest title of honour, in England ; for the king himself being only a duke in Normandy would not admit of any title equal to himself.

The property of the people was seized by the invader with as little compassion as their liberties. The land he divided into manors, and baronies, and gave them away to his Norman nobility, gentry, and clergy, who held them as fiefs of the crown ; from whence come our court-barons, manor-courts, and court-leets. As to the internal police of the country, he placed it in the hands of officers of his own making.

Thus king William I. destroyed all the elective power, constitutionally placed in the people of England, and reversed the Saxon form of government which was founded upon the common rights of mankind, and established an arbitrary power, in himself ; consequently from this



time, all power, authority, and honour in the state, descended from the king, and the lives and property of the subject were at his mercy. With this despotic rule he continued to govern England, for the space of twenty-one years, when he died ; and left the crown by his will, to his second son William, who succeeded him by the name of William II. ; and ascended the throne, in the year 1087.

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## CHAP. XXIX.

*From William the Second to the Restoration of the Constitution, by the Great Charter, in the Reign of Henry the Third.*

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William the Second was hated, both by the Normans and English as a perfect brute in his behaviour and manners. It is remarked, that he governed himself neither by religion, honour, nor honesty. Such a character as this would not contribute much to the restoration of a government, founded on the common rights of mankind; and, therefore, the English were very happy in the fortunate arrow of Sir Walter Tyrrel, who shot him through the heart at a hunting match; and thus relieved the world of this tyranny, after a reign of twelve years.

It was happy for England, that Henry the First, who succeeded his brother William, found himself in a very critical situation between the desire of having a crown and the means of obtaining it. He was the youngest son of William the First, and born in England; which was his only pretension to the crown, in opposition to his elder brother Robert, who was absent in the Holy Land; which gave Henry great advantage over him.



But Henry's best title was the favour of the people; whom he assembled together (*populo universo*), as say several historians. In this assembly he promised to abolish all rigorous laws made by his father and brother; that he would restore the laws of Edward the Confessor; in short, he promised to restore the form of government as established under the Saxon monarchy. This declaration met with general applause, and gained him the support of the people, which he wanted, and this is what some call the election of Henry the First. However, be that as it will, with the support of the people he overruled all opposition, and was crowned King of England, three days after the death of his brother William.

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Though Henry had, by this means, obtained the crown, yet he was far from being secure in the possession of it; since he well knew his brother Robert, would be both able and willing to contest it by the sword, whenever he arrived at his Norman dominions. And, therefore, he was under the necessity to fortify himself, by obtaining the affections of all his English subjects, and convincing them, by undoubted facts, that he intended to govern the kingdom agreeably to his former declaration.

To manifest this his intention, he assembled together the great council (as all agree), which was established by his father; and some say the

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commons came to this assembly ; which is not unlikely, though uncertain. However, it was in this assembly, that he renounced all unjust prerogatives, usurped by the two late kings ; abolished many grievous taxes ; and restored the laws of king Edward the Confessor, as the law of the land, which secured to the people their persons and property. This was peculiarly advantageous to the Normans, who thereby gained a title to their estates, by law ; and no longer held them at the pleasure of the king ; it also united the English and Normans, in one point of interest ; which afterwards contributed much to the restoration of the English constitution.

It is a maxim with all tyrants, to consider every thing they have a power to take, as their own by right. And we may observe that most of our kings, after what is commonly called the conquest, talk in that style ; for in their written charters, they give and grant, as a new thing, what the people of England had enjoyed for six hundred years before. For what they grant in writing, refers plainly, by their own words, to the ancient custom of the people ; and therefore how it came to pass, that those written charters could be understood, by any man, to be the origin of our rights and privileges, appears strange to us, and indeed seems too great an absurdity to mention.

- When William I. came to the crown, nobody had any concern in the transaction but the clergy and the city of London; to whom he promised in general terms, to preserve the laws and customs of the church, and of the city of London in these words: "William, king, greet William, bishop, and Godfrey, their portgreve, (or chief magistrate), and all the borough-men without London; I will that you enjoy all the laws and customs, you enjoyed in the days of king Edward."

But Henry I., did more than promise; for he in some measure, restored the elective power of the people within the city of London, as appears by his charter to them in these words: "Know ye that I have granted to my citizens of London, to hold Middlesex to farm for three hundred pounds, upon account to them and their heirs; so that the said citizens shall place as sheriffs whom they will of themselves; and shall place whomsoever, or such one as they will of themselves for keeping of the pleas of the crown, and of the pleading of the same, and none other shall be justice over the same men of London. And further, there shall be no more miskenning, (or misunderstanding) in the hustings, nor in the folk-mote (that is, in the general assembly of the people), nor in any other pleas within the city. And the hustings may sit once a week, that is to say, on Monday."

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Henry likewise granted a charter, to the whole kingdom, in which he promises to restore the ancient form of government, with all the rights, franchises, and privileges of the people ; which afterwards served as the ground-work of the great Charter of liberties, obtained from king John. But so careful had the enemies of public liberty been to destroy these authentic vouchers of the freedom and privileges of the English people ; that there was only one to be found in the reign of king John. And what made the recovery of this charter the more valuable was, that it was given voluntarily by Henry, only thirty-two years after the conquest ; when most men then living, must remember both the loss of their liberties, and his promise to restore the Saxon form of government, which was offered as a condition, for their assistance to Henry in obtaining the crown. And had England continued a separate kingdom from Normandy, as it was in the beginning of his reign, in all probability the English constitution would have recovered its ancient purity. However, from this time, the constitution began to revive, and emerge from that load of oppression, that it had laboured under for the space of thirty-two years.

In the disputes, for the crown, between Stephen and Matilda, the assistance of the people was absolutely necessary on both sides ; and therefore they readily granted charters, to many

towns, for the government of themselves, upon their old Saxon principles, by which the elective power of the people was re-established in those towns, which in time operated to the great end of restoring the Saxon constitution.

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Stephen, who succeeded Henry I., had a powerful competition for the crown, in the person of Matilda, who was descended from our Saxon line of kings, and, as such had many friends to support her title. And therefore, Stephen was very liberal in his favours; he confirmed the charter of Henry, and engaged to carry it into execution, whenever by their assistance he should be established upon the throne.

Upon this the barons promised him a conditional support, that they would be faithful to him no longer than he was faithful to his promises, that they had been amused by promises from all the kings since the conquest, and therefore they should now take their own measures. Accordingly they fortified their castles, and put themselves in a posture of defence, so that in a little time, there were above a thousand fortified castles in the kingdom, which afterwards contributed much to the restoration of the constitution. However, the succeeding wars prevented any further progress during this reign, in restoring the people to their elective rights.

Henry II. succeeded Stephen to the throne; and he came to the crown with the approbation

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of all parties. The hopes of the English were much elevated upon his accession, because he was descended from their ancient kings ; they vainly imagined he would restore to them their old form of government, and re-establish their elective power. But such generous sentiments as these, are seldom known to descend with the posterity of kings : and accordingly, Henry II. contributed nothing to that desirable end ; but left the legislative authority in the same condition as he found it.

Richard I. succeeded his father Henry II., in the throne. He was a prince of such a warlike genius, that it seems to have engrossed the whole man ; and to have excluded all other thoughts but what might contribute to the gratification of his ruling passion. He had engaged himself, with the king of France, to prosecute a war against the Saracens, in the Holy-land, agreeably to the crusading madness of those times, which involved him in an expence which his ordinary revenue was not able to support. This put him upon many expedients, to execute his enterprize ; some of which were very unjust, arbitrary, and impolitic. But what I would chiefly observe is, his sale of every thing he could part with, or find a purchaser for. We cannot express his disposition to sell better than by his answer to his friends, who advised him against such sales ; for he stopped their mouths by tell-

ing them, “He would sell the city of London, if he could find a purchaser.”

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It was under this selling prince that many of our cities, towns, and boroughs purchased back their old Saxon rights of being governed by their own magistrates, where they had not done it before. For it had been a frequent practice, after Henry I., to purchase back sometimes a part, and sometimes the whole of their old Saxon privileges, liberties, and franchises, for a fine to the king ; for which the kings, say the historians, were wont to give their charters.

And hence it comes, that our corporations hold their rights, by written charters ; which were always made by way of grants. In some account which we have seen, of that part of the revenue proceeding from fines, the author observes, That as for fines, for grants, confirmation of liberties, privileges, franchises, and exemptions, there are numberless instances on the revenue roll. The city of London bought back the privilege of having a mayor, or chief magistrate, of their own electing ; and a power of electing two sheriffs to serve for the city of London, and county of Middlesex.

Thus we may see by what means the cities and boroughs recovered, by degrees, their ancient Saxon government, and became once more little republics within themselves. For though they had changed the Saxon names of officers

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and offices, yet the power and duty were still the same. But as for the rural tithings, or the Saxon country divisions, they were so confounded, and entangled with the different rights of the baronies and manors, and other Norman establishments, that they were never able to make the least attempt to recover their old tithing form of government.

And notwithstanding the towns had advanced thus far in the recovery, yet they were continually in danger of a relapse, from the arbitrary power of the crown ; which frequently forced them to surrender their charters back again, in order to oblige them to purchase anew : so that they had no good security, till they had got possession of their old share of the legislative authority. However, they had by this time, gained a strength sufficient to make a stand for their liberty, the first time the perplexed circumstances of the king afforded them an opportunity, which presented itself in the following reign.

John, properly surnamed Lack-land, brother to Richard I., succeeded to the throne with a disputed title. The English did now, what they had never failed to do at the beginning of every reign since the conquest, insist upon the restoration of their ancient mode of government : and which the kings, on their part, had as often bound themselves and their posterity, by the

most sacred oaths, imprecations, and solemn charters, to restore ; but which they never regarded longer than while they obtained a power to break them. However, the English by this means kept up a title to their Saxon privileges and franchises, and the Norman kings thereby acknowledged their title to be just.

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There are three things observed, as principal events of this king's reign. The first was, his war with the king of France ; the second, his contest with the people ; and the third, which was his greatest misfortune, his quarrel with his people. By the first, happily for England, he lost all his Norman and French domains, and with them his support. For these provinces had always since the conquest, furnished the kings of England with a foreign army, to keep the English in obedience and submission to their tyrannical power, without which, all their pretended right of conquest, would have availed them nothing. By his quarrel with the Pope, he lost the benefit of that enthusiastic regard, which the superstition of the people hath generally entertained, for the sentiments of the clergy. For the church, in this case, found it her interest to discharge his subjects from obedience to his person ; and exposed him as a prey to all his enemies.

The barons thought this a proper opportunity, to declare themselves ; and therefore sent the

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king word, that before they went over with him to the wars in Normandy, they expected he should restore to them their privileges, pursuant to his promises before his coronation. And in an assembly of the barons, held at London, Cardinal Langton informed them that before he gave the king absolution, he had caused him to swear that he would restore the church, the nobility, and the commonality to their rights and privileges. But as difficulties might occur, in the particulars to be required of the king, they might have recourse to a charter granted by Henry I. of which he had fortunately found a copy; notwithstanding the pains taken to bury it in oblivion.

The barons resolved to make this charter the ground of their demands upon the king; and immediately entered into an association, and bound themselves by an oath, to stand by each other; and use their utmost endeavours to obtain the re-establishment of their ancient rights; and particularly the elective power of the people. This was the first association that was ever made in England, in defence of the rights and privileges of the constitution against the king.

They ordered a committee to attend the king at London, with a petition, praying the re-establishment of their ancient rights and privileges. John in order to gain time, desired they

would stay for an answer till the following Easter. As soon as Easter was come, the nobility and gentry met at Stamford, with a powerful army ; in which were two thousand knights, with many horse and foot, armed with divers weapons. The king was at Oxford, in expectation of their coming ; but hearing of their numbers and posture of defence, did not think fit to expose his person in a conference with them : and therefore, he sent the Earl of Pembroke to know, what the laws and liberties were which they mentioned in their petition. Upon which they delivered a long memorial of the laws and customs, observed in the times of the Saxon kings ; and at the same time, declared, “ That if the king would not confirm them, they were resolved to compel him by force of arms.”

John had no sooner read this memorial than he swore a great oath, and said, “ That he would never grant his subjects such liberties as would make himself a slave :” and for the better security of his person, he retired to the Tower of London. The king’s answer convinced the barons they had nothing to expect but from force ; for which they were much better provided than the king. Therefore, having previously concerted measures to get possession of the city of London, they amused the king with the siege of Northampton and Bedford, till they knew the success of their negotiation in town,

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and, to their great satisfaction, there arrived in a few days an account that one of the gates of the city was to be put into their hands.

Upon this intelligence, they put themselves in motion, and two forced marches brought them to Aldgate. This gate being opened to them, they entered the city at break of day, before the king, who was in the Tower, had the least notice of their approach. The king finding a general defection, and that in his present condition there was no remedy but compliance, sent the Earl of Pembroke to inform the barons, that he was ready to grant their demands. And, after a short negotiation, it was agreed, "That the king and the barons should meet, on a day prefixed, in a meadow called Runnemede, to conclude this affair."

The day being arrived, the barons came in great numbers to the place appointed; while the king came attended only by five or six lords. Here the barons tendered to the king two charters; one called the great charter of liberties, or Magna Charta; and the other the charter of the liberties of the forests. These two charters were then signed by the king, and witnessed by all the lords, spiritual and temporal, then present, sealed with the great seal, and confirmed by the king's solemn oath. And the king appointed twenty-five barons, and vested them with a power to see these charters duly

executed. He likewise granted letters patent, CHAP.
directed to his sheriffs, empowering them to XXIX.
take the oaths of all his subjects, that they
would punctually observe the two charters, and,
if necessary, compel the king himself also to
observe them. He lastly ordered, that the
barons should keep possession of the city of
London; and that the cardinal, Archbishop
Langton, who was a great friend to the cause,
should keep possession of the Tower of London.

The king being heartily mortified, at seeing
himself stripped of his tyrannical power, retired
to the Isle of Wight, with a few followers, that
he might, with more secrecy, take proper mea-
sures to recover his authority. Here, instigated
with pride, revenge, malice, and despair, he
resolved, rather than submit to restore the an-
cient constitution, and government, to see Eng-
land buried under her own ruins. But finding
no remedy in himself, having neither men nor
money, he chose to follow the example of
William the First, and once more offer the lands
of England, as a prize, to any adventurers who
would fight for them.

To execute this plan, he sent over some of
his followers into France, Flanders, and Ger-
many: to engage volunteers in his service, he
empowered them to offer and make titles, in form,
of the confiscated estates of the rebel barons,

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as he called them. In a short time, he had the satisfaction to see vast numbers arrive from Brabant, Flanders, Normandy, &c., all soldiers of fortune, ready to venture their lives for an estate. He likewise sent his complaints to the pope, and begged the protection of his holy arm: and as the wicked, tyrannical invaders of the common rights of mankind have seldom failed to meet with the protection of the church, the pope absolved John from his oath, annulled the charters, and excommunicated the barons.

The thunders of the church, and the new army of foreigners from the continent, would undoubtedly have reduced the barons to a very low condition, had they not foreseen the storm, and provided for the danger. The barons applied to the king of France, for protection against their enemies; and offered in return to set Lewis, the dauphin of France, upon the throne of England; upon condition he would execute the charter granted by king John. The king of France granted their request; and sent an army, and seven hundred sail of ships, commanded by his son Lewis, which effectually broke all the measures of king John. Finding it impossible for him to prevent the French from landing, he retired to Winchester without much further resistance; and after wandering

about for some time upon the eastern coast, fell sick and died ; after making his will, and leaving his son Henry heir to his title and dispute.

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Henry the Third, who was then a minor of ten years old, and the first infant-king that ever reigned in England, had the good fortune to be governed by the great Earl of Pembroke, who was a man of temper, judgment, courage, and conduct; and Henry's past friend and protector.

The earl saw clearly, that the barons would never give up their charters ; but would defend them, either against Henry, or Lewis the dauphin of France, to whom they had offered the crown, which ever fortune should give them for their king. The barons had no particular objection to Henry ; their only object was the restoration of their rights and privileges in the establishment of their charters. Hence the sentiments of each party being known, there remained little obstruction to an agreement. The barons, on their part, acknowledged Henry to be king of England ; and agreed to join their forces with his, to drive Lewis out of the kingdom. And the king, on his part, confirmed and established the charter of the king his father to them, and their posterity for ever.

All troubles being happily ended, the English impatiently expected the performance of this agreement ; which was honestly and faithfully executed by the noble earl : and had he lived,

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in all probability, it would have been strictly fulfilled. He sent express orders to all the sheriffs in the kingdom, to see the two charters of king John duly observed : and to punish with severity all violaters thereof.

The first step to the effectual execution of these charters was to restore the elective power of the people ; by summoning what the Saxons called their wittena-gemot, or assembly of the wise men of England ; or what we now call the parliament of England. Accordingly, the Earl of Pembroke, who was chosen regent of the kingdom, sent letters of summons, to all the barons of the realm singly ; and to the cities, boroughs, towns, ports, and tythings, to elect deputies to represent them in parliament, agreeable to the direction of the great charter of liberties : which letters of summons are to be found at this day, amongst the records in the Tower upon what is called the clause roll, for the year 1218. And the annals of Waverly likewise say, that the wise men of England, or parliament, met at London, after Michaelmas, in the year 1218, and revived the liberties of England according to the charter of king John.

Thus the people of England, at length, recovered their elective power in parliament, which they had enjoyed under their Saxon kings, for 600 years, before what is called the conquest ;

after having been held in cruel slavery and bondage, for 147 years ; that is, from William the First, to the restoration of their elective power, in the second year of the reign of Henry III. Which great event ought to be held in commemoration for ever, by a day of public thanksgiving, festivity, and joy, as a perpetual memorial of that great deliverance. And may the English nobility and gentry be for ever inspired with the spirit of our ancient barons ; and teach their posterity this one everlasting truth : that the poor man's annual elective rights are the rich man's best security ; a truth which the barons of England demonstrated by a dear bought experience of 147 years.

CHAPTER XXX.

Some general remarks, concerning the state of things, after the establishment of the great charter.

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WE do not mean to attend to the various attempts which were made to overthrow the restoration of the elective power of the people, in the remainder of the long reign of Henry III. and several of the succeeding kings. But after some general reflections, we will proceed to the reign of Charles I. and his successors ; by which we are more immediately affected.

Notwithstanding the great charter had reduced the power of the crown, within the bounds of a legal authority, and re-established the elective rights of the people ; yet there was a vast excess of power still remaining in the crown, which, constitutionally, belonged to the people. For, under the Saxon establishment, the appointment of all the officers concerned in the internal police of the kingdom, and the militia was in the hands of the people, or their immediate representatives : all which, at the restoration of the constitution, were left in the power of the crown ; excepting those towns that had obtained charters from some of the kings,

and purchased back the privilege of being governed by magistrates of their own election.

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There were two alterations, respecting the elective power of the people, which must be particularly noticed. The first is, that after the restoration in the reign of Henry III., many of our boroughs, which used to send members to parliament, were not then incorporated; and therefore had no chief magistrates to represent them in parliament, as was usual in the Saxon times. And even those that had obtained charters were never afterwards represented by their chief magistrates; but both were left at liberty to elect any other honest, wise men, they thought qualified to execute their trust. So that from this time, the member of parliament for a city, or borough, was detached from the chief officer of that city; but they still continued the principle of electing a new house of commons every year. However, this has given some of our modern kings an opening to introduce a new mode of restraining the elective power of the people; that is by continuing parliaments longer than one year.

The second alteration is, that at the restoration of the elective rights of the people, the titles to their election in the different cities, boroughs, towns, and ports, became various, from a variety of circumstances they found themselves in at that time; which unhappily

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reduced the number of electors ; one of the greatest misfortunes that can befall a state formed upon the common rights of mankind. The city of Westminster in particular, and all others of the same nature, still retain the true constitutional right of election ; where every resident inhabitant, that pays his shot, and bears his lot, is entitled to his election ; and all others are highly injurious to the liberty and constitution of this country, as they expose the electors to many corrupt practices.

All towns are subject to decay by time, and change of things, such as war, and particularly by trades, which last surprisingly moves the inhabitants from one part of the country to another : by which means, many of our old boroughs are almost deserted by their inhabitants, and are fallen quite into ruin. Some of them can scarcely be called a village ; and others are become the private property of one family, who now nominate, perhaps, two members to sit in the house of commons ; and call such nomination a free election.

Thus the elective power of the people has, with the boroughs, been falling into decay, while many of the villages, and some parts of the open country, that used to compose our rural tithings, have risen merely by trade, into great opulence and magnitude ; such as Birmingham, Manchester, Leeds, Wakefield, Hali-

fax, and many others. From all these concurring causes, there is not, perhaps, one man in five thousand who is now represented in parliament, by a member of his own election.

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Religion has always had a great influence in our political disputes ; and therefore we may remark, that after the appearance of Wickliffe, and the promulgation of his doctrines, religion began to take a new face ; and many converts appeared in England, who zealously defended the doctrines of Wickliffe, against the church of Rome ; and though the church found means to divert the blow, at that time, yet his works helped greatly to prepare the minds of men to receive the doctrines of Luther and Calvin ; who gave the fatal stroke to the papal authority, and introduced the reformation into England.

Henry VIII., without any design of altering the established religion, effectually destroyed the papal authority, by seizing all the lands belonging to the religious houses ; which are reported to have amounted to one quarter of all the lands in England. These the king gave, and sold to his nobility and gentry ; so that they soon became divided amongst the people. Many are of opinion, that this diffused property operated greatly in favour of the commons, in the great contest between the elective power of the people, and the prerogative of the crown, which happened in the reign of Charles I.

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At the same time, the king cut off the pope's supremacy, and his power of nomination to such benefices, as gave the possessors a seat in our house of lords, and vested that power in the crown. Thus, the pontiff of Rome lost his influence upon the legislative authority of England.

CHAPTER XXXI.

The reign of Charles I. to the revolution, considered.

CHARLES I. had the misfortune to imbibe in his youth, all the extravagant notions possessed by his father, of the high authority, and prerogative of kings. CHAP.
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Indeed it is a difficult matter for princes, as they are now educated, to receive any enlarged knowledge of men, or things; or to be well acquainted with truth: for their conversation with men and books, is so confined, that they generally receive the little knowledge they have, through the corrupted medium of flattering, and self-interested preceptors. Therefore, as they only hear and see, through other men's ears and eyes, so they never know the truth, till they come to feel, by woeful experience, the fatal deception that has been imposed upon their minds. Besides, it is observed, that Charles was of a very obstinate, inflexible temper, a narrow genius, and impatient of control, in his ruling passion for power.

His public character excepted, he had many virtues; he was very temperate, as to wine and women; a good husband, a tender father; and

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had he not had the misfortune to be a king, was otherwise a good man. But with respect to government, he had, undoubtedly, a design to render himself absolute master of the kingdom, and to establish an arbitrary power in the state, without any regard to the law of the land, the elective power of the people, or the constitution of the kingdom; as appears by numberless instances whenever they came in competition with what he fancied his prerogative royal.

King Charles either could not, or would not, distinguish between the executive power, which our constitution has lodged in the crown, and the supreme power, which our constitution has lodged in the law of the land, and no where else. The executive authority is the true prerogative of the king; and prescribes the ultimate limits of his power. Whatever power therefore he may use, that is not of his executive genius, is out of the line of his province; and must either infringe upon the established law of the land, or invade the rights and privileges of his parliament; whose right of approbation is always previous to his right of action.

Amongst the various duties of the king, or chief magistrate, the principal is, that of administering the constitution to the people, in calling a new parliament every year; or at least every time he wants a new supply; and dissolving his parliament at the expiration of every year.

The prorogation of parliaments has been grafted into the prerogative of the crown, though formerly unknown to the constitution; but has been used, in modern times, where the case required to have two sessions in one year, in order to gain a recess for a short period; but seldom or never, to continue the same parliament, longer than one year. However, as tyranny is always fertile in inventions, it hath since been made an instrument, to subvert the elective power of the people; and reduce it to a mere shadow. We shall see the application of this doctrine in the following history.

The calling, dissolving, and proroguing of parliaments have been the points of contest that have engaged several of our kings, who, being cursed with the arbitrary spirit of Charles, have endeavoured to destroy or render useless, the elective power of the people. Charles I. ought to have remembered the fate of Edward II. and Richard II.; who both of them lost their crowns, and died a most lamentable death, for encroaching upon the liberties of the people, and the rights and privileges of parliament. Not to mention several other kings, whose reigns were rendered inglorious, and their lives miserable, by the same means.

The principles of Charles and his council, respecting the royal authority, were very well known to his people, before he ascended the

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throne of his father. He was of opinion, that parliaments had their original being, merely from the concessions of former kings: and that it was in his power to revoke those concessions, and govern without parliaments whenever he pleased; that his prerogative was above the ancient laws and customs of the realm: and that those laws were only meant to bind his subjects, and not him. The plain consequence of these principles was, that he was absolute master of the lives and fortunes of his subjects; and might dispose of them agreeable to his will and pleasure.

With these sentiments, he met his first parliament on the 18th of June, 1625; of whom he demanded a supply for the recovery of the Palatinate, and the prosecution of a war with Spain. The two houses of parliament did not seem much affected with his wants, seeing they immediately fell upon the religious grievances of the nation; and both joined in a petition to the king, setting forth those grievances, and method of redress. At the same time, the house of commons called to their bar Mr. Richard Montague, one of the king's chaplains, for writing a book called, "A Gag for a new Gospel."

The king was much offended with their conduct; because he pretended the calling one of his chaplains to the bar of their house, was an encroachment upon his royal prerogative. How-

ever, they voted the king two subsidies, and then returned upon other matters of grievance, relating to the misapplication of the public money, and the bad conduct of the Duke of Buckingham. In these they spent more time than the king's patience could afford them, without any further mention of the money, which he expected for the support of the war: and therefore he sent for both houses, and in a speech, represented to them the necessity of granting him a large supply. But the commons, having returned to their house, proceeded to examine grievances, without any regard to the king's speech. However, they soon gave the king a full information of what he had to expect, by a vote of the house, in which they resolved, That religion should have the first place in their debates; the safety of the kingdom the next; and the supply the last.

The king, seeing what course the commons were taking, was extremely offended, and deemed it a manifest affront and contempt of his royal prerogative, thus to disregard his wants, and presume openly to attack his favorite, and ministers, or rather himself, under their names; and at the same time despairing to receive a speedy supply, he determined to dissolve them. The commons having some notice of his design, hastily drew up a declaration, wherein they express their loyalty to the king, their resolution

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to redress the grievances of the realm, and in due time to afford his majesty all necessary supply, both for the present, and all other his just occasions. The king then dissolved this his first parliament, which had only sat three weeks. But the transactions of that parliament, clearly demonstrated the spirit which had taken possession of both sides, from the beginning; for the king was resolved he would not redress the grievances of the people, and the commons were resolved he should have no money without it.

On this power of granting supplies for the service of the state, depends the constitutional security of the people, in confirming the executive power, lodged in the crown, within the limits of its own sphere; so that it may operate only for the good of the state. And the reality of this good is not to be determined by the opinion of the king, but by the opinion of the two houses of parliament; who may, or may not, support the actions or opinion of the king, according as they shall find them to be well or ill-founded. When any matter comes to be sifted, by two such incorrupted bodies of men as our house of lords and commons ought to be, where every object of debate is so thoroughly canvassed, taken to pieces, considered, examined, and re-examined, by six or seven hundred separate men, their determination carries with

it such a weight of authority, and probability of truth, that their opinion is not to be counter-acted by the opinion of the king.

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And it is happy for us, that our constitution is so formed, as to oblige the king to take the opinion of this body of men, and submit his conduct to their examination. For the king, being in the constant possession of the executive power of the state, his very office is creative of wants, which he himself cannot supply: and though a king of England may for a time, like Charles I., by illegal and unconstitutional means, squeeze out of his subjects a narrow support for his present convenience, yet he never can put his kingdom into a state of proper offence and defence. So that the first extraordinary emergency will, by the mere dint of necessity, constrain him to call a parliament, and give his people an opportunity to redress their grievances under a bad administration, and to shew their gratitude under a good one.

Let us now return to the thread of our history. The king having lost the assistance of his people, by dissolving his parliament, found no better way to supply his want of money, than by extorting from some of his subjects, under the name of a loan, as much money as they were taxed at, by former parliaments, which was soon spent in a fruitless expedition to the coast of Spain. This brought on a second

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necessity to call a new parliament. But in order to exclude the most able men, or at least, such as had given him the most trouble in the last, he ordered them to be appointed sheriffs, that they might not be elected members. However, in that he was mistaken: for those popular members were elected for other places, and the parliament met the 6th of February, 1626; and was entirely of the same sentiments with the old one.

In order to examine things with more clearness, they appointed three committees; one for secret affairs, another for grievances, and a third for religion; and these committees continued to prepare their several reports, and the house to receive the same, notwithstanding the king's application for money to carry on the war; which indeed was the sole reason of his calling them together: and therefore he sent a sharp letter to the house of commons, with five articles of expense, and desired to know, without further delay, what they intended to give him. In order to satisfy the king, in this particular, they unanimously voted him four subsidies, and three fifteenths; and by this vote, which was only declarative of their intentions, left it in the power of the king to have it or not have it, as he should redress, or not redress their grievances.

The king saw with a longing eye this golden

apple hung up by a vote of the house of commons to his full view, but not within his reach; and he perfectly understood the motives of the house for so doing; as it was precisely the point of difficulty put upon him by the last parliament. He therefore sent for the two houses to Whitehall, as he says, "To show them their errors;" and in a speech partly delivered by himself, and partly by the lord keeper, we may find the true sentiments of the king concerning parliaments. In the introduction of the lord keeper's speech, it is laid down as a principle, That the house of lords and house of commons are only the king's general council; and ought to be confined within the limits of a council: to whom he says, "That no king was ever more jealous of his honour, or more sensible of the neglect or contempt of his royal rights, which his majesty will by no means suffer to be violated by any pretended colour of parliamentary liberty; however, that his majesty doth not forget that the parliament is his council, and ought to have the liberty of a council; but his majesty understands the difference between counselling and controlling: and between liberty, and the abuse of liberty."

This being laid down as a general doctrine, he proceeds to give some popular instances where they had transmitted the limits of a council,

times of William the Conqueror, from whence

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saying, "That they had not corrected some members of their houses for speaking disrespectfully of his ministers and government, though his Majesty had commanded them so to do.—That they had been inquiring after articles of accusation against the Duke of Buckingham, which he would not suffer to be done to his most menial servant.—That they had suffered the greatest council of state to be censured in their house.—That they had suffered his government to be parallel with terms of the most exception.—That their committees had presumed to examine records, books, and private notes, which were made for his Majesty's service.—That they had not given his Majesty a supply equal to the estimate of expense that had been laid before them.—That they had employed only two days in twelve about the supply, while their inquisition against his Majesty's directions, had proceeded day by day." Therefore, the lord keeper said, "His Majesty commandeth that you go together, and by Saturday next, return your final answer what further supply you will add, and that without condition, directly or indirectly. If you do not, his Majesty cannot expect a supply this way, nor suffer you to sit longer together; and further, his Majesty desires you to remember that parliaments are altogether in his power, both in calling, sitting,

and dissolving. Therefore, as he finds the fruits of them good or evil, they are to continue, or not to be.”

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This speech partly spoken by the king, and partly by the lord keeper, is grounded upon doctrines, which plainly reduce parliaments within the narrow sphere of determining only the mode and manner of raising the supplies. For if the parliament were only the king's great council, they had no right to give their opinion in any matter in which the king did not ask their advice. This, at once, cut off all their power of judging and debating upon any subject in the administration of government, in which they thought the people aggrieved, either by the king, or his ministers. With respect to the supplies, he was of opinion that he had at any time a prerogative right to command what he wanted, as being the only judge of the necessity: and if the house of commons would not grant him the supplies he requested, that he might constitutionally by any other means take them. So that the parliament had no other business in this matter, than to prescribe the mode or manner of levying the money upon the people.

This doctrine of the king was so heterogeneous to the first principles of our constitution, that it can only be paralleled in the despotic times of William the conqueror; from whence

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he must certainly have taken his political creed. Therefore, it is no wonder that the parliament, and particularly the commons, differed in their opinions from the king, concerning the authority of their house. For they did not consider themselves as the general council of William the Conqueror, in which there was no elective body of men whatever, but they justly considered themselves as the Saxon wittena-gemot, or general assembly of the debates of the kingdom. They were the great council of the nation elected by the people at large, (and not appointed by the king) to consult their interest only. The parliament of England is the mind of the same body, of which the king is the hand; and contains all the power of the Saxon wittena-gemot, under Alfred the Great.

These two widely different opinions of the king and house of commons, strictly adhered to on both sides, could never be determined but by the sword. However, we will still continue to pursue the thread of the history, just so far as to touch upon some of the principal points of contest, till the dispute ripened into an actual war. By which we shall be able to observe what strength there was in the constitution, to prevent the arbitrary intention of the king, and what means he found in his prerogative to furnish himself with money without parliaments; and likewise how these

means failed him, and how he was obliged to re-
turn to the constitutional mode of supply after
all.

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The king continued to attack, and the commons to defend their rights and privileges. The articles of impeachment against the Duke of Buckingham, gave both sides an opportunity to show their spirit. Sir Dudley Diggs, and Sir John Elliot, (two members appointed by the commons to manage the impeachment of the duke,) had so warmly maintained the charge, by some expressions of aggravation which were falsely reported to his Majesty, that he ordered them into custody, and sent them to the Tower.

This alarming attack upon the privileges of parliament, raised a concourse of tumultuous conceptions in the minds of the members, and produced a total silence in the house, which the court-party called a sullen silence. However, this silence did not last long; for they soon resolved to justify their members, and demand their releasement; which they did so effectually, that the king seeing no way to support what he had done, was obliged to discharge his prisoners. About this time the house of lords seem to have forgotten their own dignity and importance, till they were stimulated to it by the conduct of the house of commons. For the king having before imprisoned

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Lord Arundel, for the like crime as that of Diggs and Elliot, the lords now obtained the release of their member also.

This conduct of the king, instead of intimidating the house of commons, only served to make them the more inflexibly fixed upon their point, not to grant him one penny till he had redressed their grievances : and he, rather than grant their request, chose to lose the money ; and accordingly dissolved the parliament on the 15th of June, 1626.

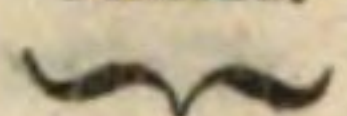
The king now finding himself involved in a great expense by the war, and no supply from his parliament, had recourse to such expedients as he thought he found in his prerogative, to supply himself with money without the assistance of parliament. The first was a commission directed to the Archbishop of York, and others, to compound with popish recusants for all forfeitures. The second was a grant of his crown-lands in fee-farm. The third was a loan from every peer of a certain sum of money for the defence of the kingdom. He also attempted the same thing upon the city of London, but was refused. The fourth was an imposition upon several ports and maritime counties, to furnish and send out a certain number of ships. The fifth was an order that tonnage and poundage should be strictly collected. The sixth was a

tax under the name of a general loan ; voted according as every man was assessed in the rolls of the last subsidy.

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The methods he made use of to enforce these impositions were various. He appointed venal and corrupt judges, who refused to administer the law for the relief of the subject; by which all access to the common law of the land for relief was barred. Upon some he quartered soldiers, others he impressed for soldiers, and sent them into foreign countries. The gentlemen he ordered into close confinement, and imprisoned them in distant counties from home, by the arbitrary authority of the council who determined all matters relating to the revenue and his prerogative. At the same time he ordered the lord lieutenants of the counties to embody the militia, to keep down any risings or insurrections that might happen upon these illegal proceedings. To these we may add, the kind assistance of the clergy. One of them said, "That the king was most bound to observe the laws of the realm ; that he had a right by his royal will and command to impose taxes, without the common consent of parliament, and that the subjects were bound to pay those taxes upon pain of eternal damnation."

Notwithstanding this formidable apparatus, the king could not bring his matters to bear. The people would not pay without actual force,

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which was almost impossible to be exercised upon them all in general; and some gentlemen sustained these shocks with the greatest firmness; and chose rather to suffer many hardships than submit to such gross impositions. All which, caused such delays and obstructions, that the king could not proceed; and therefore, was obliged by mere dint of necessity, again to submit to the constitution, and to call a parliament, which met on the 17th of March, 1628.

The king, in his speech, told them to this effect: That he had called them together to obtain a supply only; and that he chose to have it in the old way, as the best, though not the only way. That this supply must be neither too little, nor too late. That they must be quick in their motions, or necessity would oblige him to make use of other means which God had put into his hands; and, in short, that there was no time to talk about it, but to do it.

The commons having returned to their house, began to examine the grievances of the nation; in which several members distinguished themselves by a lively and pathetic description of the principles of the court, and the conduct of the administration: wherein they said: "It is publicly preached in our pulpits, that all we have is the king's *jure divino*. They have introduced a privy council, at once ravishing the spheres of ancient

government. They imprison us without bail or bond; and have destroyed the root of all property. Who will give subsidies, when the king can take what he will, where he will, and from whom he will. O improvident ancestors! O unwise forefathers! to be so curious in providing for the quiet possession of our lands and liberties of parliament; and to neglect our persons and bodies, and to let them die in prison; and that, *durante bene placito*, remediless! if this be law, what do we talk of our liberties, why do we trouble ourselves with the disputes of law, franchises, or property?"

After which, they came to four resolutions. First, "That no freeman ought to be imprisoned by command of the king, privy council, or any other, unless some lawful course be expressed in the warrant of commitment. Secondly, that the writ of *Habeas-corpus* should not be denied to any prisoner, he paying for the same. Thirdly, that no lawful cause appearing for his detainer, he should be discharged, or admitted to bail. Fourthly, that it is an undoubted right of every freeman, that he have an absolute property in his goods and estate; that no tax, toll, loan, or benevolence, ought to be commanded or levied by the king, or any of his ministers, without common consent by act of parliament.

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The commons then unanimously voted the king five subsidies, and at the same time, resolved that the supply and grievances should go hand in hand. For this purpose they began to prepare a list of their grievances, which they formed into the well known PETITION OF RIGHTS, and upon better consideration changed it into a bill; on the finishing of which, the commons were so intent, that they would hear of no other business till that was completed; and upon this they fixed themselves as upon a rock.

Then, with the Petition of Rights in one hand, and the supply in the other, they stood firm against all artifice, persuasions, threatenings, and promises, both of the king, court-party, and house of lords, who would gladly have persuaded them to have introduced some saving clause, but were never able to move them from the ground they stood upon. The king seeing no possible way to avoid this blow, resolved at last to pass the bill. Accordingly, on the 7th of June, 1628, he came to the house of lords, and gave a full and satisfactory answer to the Petition of Rights, in full parliament; whereupon now the commons, on their part, gave him the supply they had already voted.

Having finished this matter to their liking, they resolved to punish the Duke of Buckingham and others, who were the acting instruments

in the late illegal transactions. In which business they had proceeded to some length, when the king suddenly came to the house of lords and put an end to their session by prorogation. It was in the recess of this parliament that the lucky hand of John Felton gave the Duke of Buckingham a blow that relieved the house of commons from any further trouble about him.

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The parliament met again on the 10th of January, 1629, and immediately took into consideration the complaints of some merchants, whose goods had been seized, and who afterwards had been fined in the star-chamber for refusing to pay tonnage and poundage, being contrary to the law, and not granted by act of parliament, and in express contradiction to the Petition of Rights. This created a dispute between the king and house of commons, which ended in the dissolution of the parliament: after having first kept the speaker in the chair by violence, which occasioned great confusion, tumult, and blows, till Sir John Elliot drew up a protest, wherein, among other things, it is said, "That whoever shall advise the taking of tonnage and poundage, not being granted by parliament, or that shall be an actor or instrument therein, shall be deemed a capital enemy to the kingdom and commonwealth."

The next day after the dissolution of the par-

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liament, warrants were issued out of the council chamber, for apprehending nine of the leading members, and three of them were sent prisoners to the Tower; and afterwards condemned in the King's Bench, to be imprisoned during the King's pleasure, and severely fined. After this, the King resolved to call no more parliaments, which he always hated, and used to call them a many-headed monster; and never thought himself safe so long as they were sitting. However, he had one true opinion of them, though oddly expressed; he said "They were of the nature of cats, that always grow cursed with keeping."

But to return, the King being resolved to call no more parliaments, was therefore obliged to provide some other means of supply. Lord Clarendon says, many of these were unjust, many ridiculous, many scandalous, and all very grievous. But his chief dependance, for a regular supply, was a tax upon all his subjects, under the name of ship money. The great obstruction to the execution of his design, was the parliament and the law. The first he had put out of his way, by resolving to call no more: and now the last was to be tried upon the point of ship money. Therefore, to justify his pretensions, he put a case merely within the verge of a possibility; grounded upon his duty as a King, and guardian of the



realm; "That as he was to take care of the commonwealth, under all points of necessity, whether he himself was not the sole judge of that necessity; and when and how this danger was to be prevented and avoided?"

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If such a necessity as this could ever have been pleaded in this kingdom, with any appearance of justice, it was at the time of the invasion by the Danes, in the reign of Alfred the Great, which was this; Alfred found by repeated experience, that when he had marched his army to fight the Danes in the north, they ran to their ships, and set sail for the south; and in this manner harassed him about to every point of the compass. Yet Alfred, under this real necessity, did not pretend to tax his subjects by virtue of his prerogative; but assembled his parliament, and showed them the inconvenience he laboured under with such a flying enemy; and pointed out the means of redress. He advised them to grant him a supply of money to fit out a fleet of ships, and fight the enemy at sea; and so prevent their landing at all.

But Charles did otherwise: he referred his question to his corrupt judges, and obtained an affirmative answer, as it was literally stated; which he took care to publish to the whole kingdom, and to have it recorded in the courts of law; and to be used as a rule of court, in all



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causes upon this subject. At the same time he was resolved to have this pretended right of taxing the subject determined, the first opportunity, in a court of justice. Accordingly he ordered the famous Mr. Hampden to be prosecuted, in the exchequer, for refusing to pay twenty shillings which he was charged with in the rate for ship money. Mr. Hampden most nobly stood the contest with the king, and brought this great cause to a hearing, before all the judges of the realm, who were summoned for the purpose of supporting their opinion upon the trial; which after many days hearing was determined in favour of the king.

Thus the king removed out of his way, for the present, the two great obstructions to arbitrary power, that is, the parliament, and the law of the land; which laid open the treasure of the kingdom to his will.

King Charles had before told his parliament, that he had it in his power to supply himself with money without their assistance; that their sitting or not sitting was at his option, and should be determined agreeably to their behaviour. Now, as he did not like their conduct, he actually put his threats in execution, for twelve years; and had the Scotch been as tame as the English, for aught that appears, he might have continued them as long as he lived. For after he had dissolved his parliament, and ap-



pointed corrupt judges, who refused to administer the law for relief of the subject in all matters that concerned the power, and revenue of the crown, there was no power in the state able to contradict his will. Here I shall leave him to pursue his arbitrary measures, till a new scene opened, about the year 1640, that obliged him once more to call his parliament.

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The king thus established an arbitrary power, and made himself master of the lives, and fortunes of his English subjects, wanted to extend his tyranny over the consciences of his people in Scotland; and regulate their mode of faith, and the ceremonial practice of their church, agreeable to his own. But they refused his dictates, and took up arms in their own defence.

Then it was, that he found that the people would not contribute to enslave one another at the command of the king; and were this always the case, there would soon be an end of all tyranny: for the English would not fight the Scotch, nor the Scotch the English; so that the king made but a ridiculous figure amongst his loving subjects. Nay more, the English rather chose that the Scotch should march forward in order to reduce the king to that constitutional point of necessity, which must constrain him to call a parliament; and oblige him to submit to their redress of the grievances of the nation. And to this point of necessity the



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king was finally reduced, when he called his parliament, which met on the third day of November, 1640.

Some authors affirm, that no age, or country, ever produced men of greater abilities, than what sat in this parliament.

They might be great men, but not greater than those IMMORTAL BARONS, who rescued the constitution from the Norman tyranny, and restored the elective power to the people; neither was their work so great, important, and difficult. However, they had abilities equal to their task, and had their honesty been equal to their abilities, they would have been a blessing to their country.

When the parliament met the king, in his speech he told them, “ That he was resolved to put himself freely and clearly upon the love and affections of his English subjects.” The commons having returned to their house, many members presented petitions of grievances, which they had brought with them from their constituents; besides many others that were daily presented from public bodies of men, as well as from private persons; in which they found ample matter of complaint against the acting instruments of the king, and the principal men in administration. These men were the first objects of their resentment, whom they were resolved to prevent from doing any further mis-



chief; and proceeded against them in such a manner, as soon struck a terror into the boldest.

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However, they first cleansed their own house from all such members as had been concerned in illegal monopolies, and injurious contracts; and then impeached the Earl of Strafford of high treason: upon which he was sent to the tower. Sir Francis Windebank, secretary of state, finding no safety for himself, made his escape into France. From the state, they proceeded to the church, and impeached Laud, archbishop of Canterbury, of high treason; upon which he was sent to the tower. They obliged Wren, bishop of Ely, to give ten thousand pounds bail for his appearance. From the church they went to the law, and voted Lord Finch, keeper of the great seal, a traitor to his country, upon which he fled into Holland; and they obliged four of the judges to give bail for their appearance.

Besides these particular men, whom they intended to punish, they passed many general votes of terror, which affected all the king's servants from the highest to the lowest, and involved many others in the like guilt: that is, the house voted such or such a thing illegal, and the advisers, and actors therein, delinquents, who ought to be punished. So that few men, who had any connexion at all with the court, either directly or indirectly, and especially such as had been concerned in collecting the king's



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illegal revenues, and executing the decrees, and orders of the star-chamber-court, but were continually in danger, and subject to their vengeance.

Having thus ordered matters, respecting the acting instruments, they went upon the grievances themselves; which they collected from the petitions presented to them from several parts of the kingdom. Whatever they found a matter of complaint, they ordered in a bill to abolish it, if necessary; or blasted it by a single vote of the house, which, in many cases, was as effectual as a bill; for few men would subject themselves to a future correction, for a disobedience to their votes. It would be almost incredible to imagine with what dispatch and ease they proceeded, had we not been informed that the commons divided themselves into forty committees to prepare these matters for the house. So that the house had little more to do than to confirm the reports of the committees as they came before them.

We must observe, that all these regulations during this time, met with little or no obstruction from the king, or his party. However, the king came to the house, on the 25th of January, and, in a speech delivered his reformed sentiments. He told his parliament, that he was very willing to concur with them in the reformation of all things, both in church and state, and to re-establish things upon the same foun-



dation they were in the days of Queen Elizabeth; by which he renounced all the doctrines of his father. But that he differed from them in two points.

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In the triennial bill, he objected to the mode only; but as to the matter of having frequent parliaments, he much approved of. The other point of objection respected the bishops; in this he was willing to restrain them from all temporal authority, except their seats in parliament, which he could not consent to take away; and yet gave no other reason but their having had that privilege ever since the Conquest, or before. To this last objection the commons answered very justly to this effect; that time and usage could not establish a grievance that had sprung from encroachment to the manifest injury of the state, and people of England. That it was their duty, as law-makers, to remove from the parliament a body of men who had constitutionally no right there, and who had invariably directed their whole influence against every principle of civil and religious liberty; and were now particularly dangerous to the state.

It is undoubtedly the most absurd and pernicious principle that ever was received into any society of men, to permit the clergy, of any denomination, to have the least distant share or influence upon the legislative authority of any



nation. And had the motives of the house of commons for excluding the bishops from the house of lords been as good as their motion, they would have done this kingdom a most essential piece of service; but their intent was only to pull down one nuisance, in order to establish another almost as bad. Their business as law-makers was to protect every man in his right of private judgment in point of religion, and not suffer any set of men to dictate to others where it is impossible the state can be concerned in a matter that merely subsists between God and a man's own soul.

The house of commons not finding themselves strong enough at this time desisted; but shortly after they destroyed the episcopal hierarchy root and branch, and established presbyterianism upon the ruins of the church. Instead of this had they taken away the church lands and applied them to the service of the state, they would have taken away the true bone of contention. Had they destroyed all ecclesiastical power, they had destroyed an evil in the state, and abundant matter of vexation. Had they protected all men alike in their different modes of worshipping God, they would have taken away all just occasion of offence, and established peace amongst men.

From many circumstances that appeared upon this occasion, and in the case of the Earl of



Stafford, it was evident that the leading men of the house of commons had from this time taken the resolution to subvert the constitution, and change the mode of government of this kingdom into what they called a COMMONWEALTH; but in reality, to vest the power in themselves, destroy the legal authority, and enslave the people: which will undoubtedly be always the case whenever any party gets an established footing, as some of the leaders now did for a long course of time.

However they artfully kept this their design from the public as much as possible, till they had got a power to execute it, which presented itself upon the following occasion. The king zealously defended the Earl of Stafford, and the lords joined the king in his defence. By which the commons plainly saw, and the voice of the people was united with them, that if they could not bring the authors of their grievances to justice, they were doing nothing. Upon this account they raised such a clamour, riot, and disturbance over the whole kingdom, and particularly in the City of London, that the old and timorous members, and those they pointed out as obnoxious, durst not attend their duty in either house: and even the king did not think himself safe in his own palace.

Nothing can shew more clearly to what a height they had raised the spirit of apprehen-



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sion than that in a few days they were able to get a petition against the Earl signed by forty thousand people in the City of London, who attended the house of lords in multitudes to present it, to pray that the lords would pass the bill of attainder against him.

In the mean time the commons industriously spread a report abroad, that it would be impossible to redress the grievances of the people, or find money to discharge the Scotch army so long as the king had it in his power to dissolve the parliament, which they much apprehended he would do. This was properly bringing the matter to the point they wanted. And therefore when they saw the spirit of apprehension was up for their purpose, a Lancashire member moved in the house at a late hour, that if the king would pass a bill that the parliament should not be dissolved without the consent of both houses, he could procure six hundred and fifty thousand pounds for the discharge of the money due to the Scotch, till they could find some other means to provide for it. The very next day the bill was hurried through the house three times, and was perfected and sent up to the lords the very same day for their concurrence, and, in four days after, this fatal bill received the royal assent.

This memorable event will be marked in our future annals, like that of Marius and Sylla, in



the Roman history, who taught future adventurers the way to destroy the Roman constitution, and make slaves of the people. It is the first instance in the English history wherein temporal leaders impiously violated the rights of the people, and gained an establishment by act of parliament by consenting to a law for their own duration ; by which the elective powers of the people were destroyed, and our free state converted into a fixed and standing aristocracy.

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There are times when a whole nation seem to run mad, and rejoice in their own destruction. This was the case at that time, for the people rejoiced over this enslaving act, and deemed it a conquest over the king. England has been mad several times since this period, but this was the greatest fit of frenzy she ever had. It is at such times of disorder as these that artful politicians often convert the mistaken zeal of the people to their own advantage, and the people's ruin, which was precisely the case of the leading members of this house in obtaining that unconstitutional act.

The house of commons, as the elective body in our parliament, is in its own nature unfixed, changeable, and for ever in motion ; and this moveable principle in our constitution is its strength and security. It is this that has kept it alive, and preserved it for many ages ; nay,

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in short, it is liberty itself. A little attention will shew us that the quick and lively exercise of the dissolving prerogative of the king and the elective power of the people, form a circulation which is as much necessary to the well being of the state, as the action and re-action of the solids and fluids are necessary for the health of the animal œconomy: for if they be restrained from action or suffered to stagnate, they will produce all manner of disorder, danger, and death. By that fatal act which fixed the duration of parliament the first principles of our constitution were destroyed, changed, and subverted; the legislative authority became fixed by law, and consequently the people became slaves by law.

There are three constitutional checks which defend one power in the state from encroaching upon the rights and privileges of another. By this law two out of the three were lost. By this law the king could not dissolve his parliament; and therefore he could not defend himself against the encroachments of the two houses upon his constitutional executive authority. By this law the people lost their elective power; for as the king could not dissolve his parliament, so the people could not elect a new one; consequently they had lost their constitutional check against the treachery of their own members.

There is no chief magistrate, or political body of men, call them by what name you please, whether the many, or the few, let them be ever so wise, ever so virtuous, ever so moderate, or high in your expectation, at their entrance upon their office, but what will (if you once make them powerful, and fix them above your own control) most certainly degenerate into tyrants, and make you slaves. This doctrine was amply verified, in the conduct of this parliament. However, at the time of passing the act, it was doubtful, whether they intended to make use of their power to establish the constitution upon a solid foundation, or to destroy it altogether. But their intention became afterwards very manifest, when they delivered their remonstrance to the king, dated December 1st, 1641.

In this remonstrance they declare, “ That they had secured the property of the subject to himself by reducing the pretended prerogative of the king within the limits of law, and prevented for the future his taxing the subject, or charging their estates without the consent of parliament. That they had secured the liberty of the subject, by abolishing all the arbitrary courts of law, and reducing others within their due bounds. That they had made an example of evil counsellors, and instruments of the past grievances; by which no man, for the future durst obey the king’s illegal commands. That

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they had repealed many obsolete laws, which had been a cover for many grievances. They acknowledged that the king during this parliament had passed more good laws for the advantage of the subject, than had received the royal assent for many ages ; and as a matter above all the rest, that the king had passed an act for triennial parliaments, which as they themselves say afforded a perpetual spring of remedies for the future."

If then they had rectified what was amiss in times past, and provided a remedy for the time to come, what had they now to do ? Nothing, but to consent to their own dissolution, and renounce that unconstitutional power they had become possessed of, and leave the state to that perpetual spring of remedies, which they had provided for the future.

Had they done this, they had acted like honest men. But a dissolution of their power was far from their thoughts. The last mentioned remonstrance can be considered as nothing less than a cause of further quarrel, in which they might seek a pretence to continue their authority : for they had now drunk deep of that diabolical spring which intoxicates all mankind, and renders their thirst of power insatiable. They had obtained a right by law to their seats in parliament, during their own pleasure ; and it is very evident they never pleased to rise till

they were forced out of the house by a file of musketeers under the command of Oliver Cromwell. CHAP.
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To this infernal principle, the thirst of power, we must ascribe that unrelenting vengeance with which the parliament pursued the king through the whole course of a most bloody war; because he was the greatest obstruction to the establishment of their intended commonwealth, and consequently to the establishment of their intended power and tyranny over their own constituents. We shall not stay to make any remarks upon the war, but only observe that the parliament never gave the king one moment's respite till they brought his head to the block, and made way through his blood to establish their own sovereign authority.

With the king fell the house of lords, which indeed had been but too instrumental in pulling down the REGAL PART of our government, and thus destroying that just division of power which constitutes the beauty and strength of our constitution. Thus all degrees of power in the state were at once swallowed up in the house of commons; and the people left to bewail the dreadful consequence of their own credulity with their lives, liberty, and property, at the mercy of these traitors to their trust. The people were now more slaves to their own representatives, than they had ever been to the

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king; for WHERE ANNUAL ELECTION ENDS,
THERE SLAVERY BEGINS, whatever that
power be that bears such election.

The spirit of our English constitutional liberty is founded upon the annual exercise of our elective rights; and not in having a fixed representative body of men in parliament. The house of commons were no longer the representatives of the people than they were constitutionally so, that is, for one year; agreeable to the ancient law of the land, and confirmed by a statute of Edward the third, which declares, "That parliaments should be holden every year or oftener if need be, for the redress of divers mischiefs and grievances that daily happen." They were not the real representatives of the people though the people first elected them, because they afterwards continued themselves by their own authority during their pleasure.

Men of cool reflection upon these historical events (when they had seen in this great struggle for power between the king and parliament every nerve of the constitution exerted upon one side or the other, and every constitutional right claimed on both sides which might contribute to their success) justly concluded, THAT ENGLAND COULD NEVER BE BROUGHT INTO SLAVERY, BUT BY PARLIAMENT THEMSELVES.

It is very evident that the great barrier of our

constitutional liberty, consists in an inseparable union of interests between the house of commons and the people; which can only subsist by annual election: and that Charles the First by endeavouring to govern without parliaments had only cemented this union, and made this barrier impenetrable against himself; as it had been against every king who had attempted to destroy it since Henry the Third.

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But when the house of commons came to divide from the people and set up a separate interest for themselves, it was but too evident they could impose all manner of insult and outrage, as well as any single handed tyrant whatever. They had no more regard to the ancient form of government, to the rights, privileges, and franchises of the people, than William the conqueror, or any other tyrant since his time. Indeed after they durst so impiously and treacherously destroy the elective power of the people by consenting to a law for their own duration, it is no wonder they should TAKE THE LIFE OF THE KING, DESTROY THE HOUSE OF LORDS, AND MAKE SLAVES OF THE WHOLE REALM.

CHAPTER XXXII.

*To the Revolution.*CHAP.
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WE shall now proceed to the reign of king Charles the Second, who as well as other men had sufficient reason to be convinced, by the transactions of the late war, that English liberty could not be destroyed but by parliaments themselves.

The late conduct of the house of commons had furnished him with both a principle and a precedent, by which this might be done; which was by restraining the elective power of the people from action, to distant periods of time; which would render it both impotent against himself, and useless to the people; and yet keep up the outward form and face of the constitution. Charles had seen the representatives of the people consent to a law for their own continuance during their pleasure, which had destroyed the elective power of the people for almost twenty years.

From this time our succeeding kings no longer directed their artillery against the house of commons, but against the elective power itself

in the hands of the people at large ; since they found by experience that the house of commons was willing to make a separate interest from their constituents. King Charles the Second was the first that tried this principle, by the assistance of his prerogative, in the manner we are now going to relate.

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It is remarked by historians that Charles was of opinion that few men acted upon a principle of public virtue, or a sense of honour, honesty, or moral obligation, but that the generality of mankind acted wholly from a principle of interest ; and what he had seen either abroad or at home, had not contributed to alter that opinion. It was an easy conclusion from this principle that if he could divide the interest of the house of commons from the interest of the people, he should divide their strength ; and then by uniting the house of commons in the interest of the crown, he should have the support of the commons, and leave the people naked and defenceless with their lives and fortunes at his mercy.

And therefore Charles was no sooner settled upon the throne of his ancestors by the convention of the states, which was a motley assembly of all parties then in being, and in whom he could not confide, than he resolved to call a parliament by his own wish, that he might have the elections more under his own management. By this means he procured a parliament to his



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liking, which afterwards obtained the name of THE PENSIONED PARLIAMENT; which he continued sitting by prerogative, from time to time, for eighteen years, because having once got a corrupt house of commons, which was the thing he wanted, he would not dissolve them.

With these he began to execute his new mode of tyranny, by a direct contrary cause to his father or any of his progenitors: and that was; as we just now said, by dividing the interest of the majority of the house of commons from the people, and suffering them to share with him the plunder of the nation. Before this time (the rebel parliament excepted) a standing house of commons was as much a stranger to this country and constitution, as a standing army; but the king having obtained the first, soon made way for the second, for it is observable that a standing army was introduced at this period.

Let it ever be remembered and seriously considered, that every county or borough when they choose their members, put into their hands no less than the keys of all their treasure; and not all their treasure only, but the treasure of every man in the British empire; out of which they can take what they will, how they will, and when they will, and as such are a very desirable partnership for a king. Charles governed this kingdom in the same arbitrary man-



ner with this elective body of men, as William the conqueror did without them: for as the people had in both cases lost the exercise of their annual power of election, they had lost the remedy for all their grievances. And under this mode of things may be observed all the marks of tyranny that can be found under the despotic government of one man. The laws were no longer any protection to the innocent; judgment and justice were directed by court policy; severity and cruelty took the place of mercy and moderation; slitting of noses, cutting of ears, whipping, pilloring, branding, fineing, imprisoning, hanging, and beheading, were the constant lot of those who had virtue enough to speak, write, or act in defence of constitutional liberty.

So far was this house of commons from relieving the people under this dreadful dilemma, that they contributed all in their power to prevent even their cries and prayers from either approaching the throne or themselves. They passed a law by which no man durst ask his neighbour to join him in a petition for relief, to the king or either house of parliament. It was a melancholy consideration to see the people refused the benefit of prayers and tears for relief against their own infamous deputies.

But such indeed was the state of the English people for fifty years together under the various



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~~~~~ powers that had subsisted during that time, when they were restrained from the exercise of their elective rights; that is, for twelve years, under the tyranny of Charles the First; for twenty years under the tyranny of the rebel parliament; and eighteen under the tyranny of king Charles the Second and his pensioned parliament. There were only two regular elections for fifty years; viz. in the year 1640, which produced the rebel parliament, and one in the year 1660, which produced the pensioned parliament of Charles the Second.

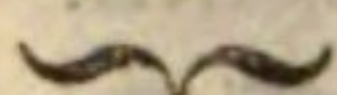
It might have been expected at the revolution, after the English had seen by what means their elective power had been evaded, that they would have provided a remedy equal to the evil. What had passed was certainly sufficient to convince them that they could have no dependance either upon the king or upon the house of commons, for the due administration of their elective power; and as government found out new means to evade it, it was the indispensable duty of the people to have established new means to preserve it.

After the restoration of the constitution in the reign of Henry the Third, it became the general practice to elect a new house of commons every year, or at least every time the king wanted a new supply; which was agreeable to the Englishman's boasted right of disposing of his own

money to the state. This continued down, with very few variations, to the family of the Stuarts, who confounded every principle and custom in the constitution and mode of government.

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James the Second inherited all the diabolical spirit of his whole house ; was a person that no experience could teach wisdom, laws make honest, or oaths bind ; and therefore the whole nation united as one man, to exclude him and his detested race from the crown of these realms for ever.



CHAPTER XXXIII,

*From the Revolution to George the Second,
with some remarks.*

WE are now come to that epocha of the English history commonly called the REVOLUTION; in which the English people were made to believe that their laws, liberty, and religion, were going to be established upon the most constitutional, firm, and stable foundation, under the immortal king William the Third, of glorious memory.

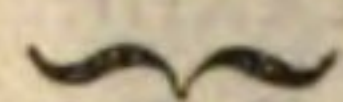
Before the parliament, or rather convention tendered the crown to William, they made a declaration containing thirteen articles, of some of the rights and liberties of the people, which had been violated in the three late reigns. In the thirteenth of which they declared, “that for the redress of grievances and for the amending, strengthening and preserving of the laws, parliaments ought to be held frequently.”

But what they intended posterity should understand by the equivocal word frequently, is hard to determine. It seems to insinuate something in favour of the elective power of the people, but determines nothing of certainty

in that respect. Had they declared that parliaments should be held annually, and a new house of commons elected every year, they would have then plainly declared for the constitution, and the elective power of the people. This would have established it by a public declaration of the two estates then in being upon a constitutional ground, which would have put it out of the power of their intended king or any future parliament to have restrained or subverted it, either by the prerogative of the crown or acts of parliament.

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But it appears very evident that upon this critical occasion, the convention did not do their duty to the people (by acting upon the principles of the rebel parliament) and meant to usurp a power, in the legislative authority, to determine how often the people should exercise their elective rights. Accordingly we find they soon after made an act by which our kings were obliged to call and dissolve their parliaments, once in three years at least. Thus they introduced the practice of the rebel parliament as a principle of the constitution; and usurped a power in themselves of restraining the elective power of the people by acts of parliament. Hence we shall find that having once introduced the principle, innovations succeeded one another as fast as time and opportunity would permit it; and accordingly in the following reign of queen

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Ann the parliament made a law, for a landed qualification of the members of the house of commons, by which it was enacted, That every member for a county should be possessed of an estate in land of six hundred pounds a year ; and every member for a borough should have an estate in land of three hundred pounds a year.

The principles upon which these two laws are founded have in their operation converted our free constitution and mode of government, into a downright rank aristocracy of the rich in land. Our ancient parliaments were composed of THE WISE MEN OF ENGLAND, but since the enacting these two laws they have been changed into THE RICH MEN OF ENGLAND ; which have made a vast difference in the spirit of the laws that proceed from thence. But as we intend hereafter to enlarge upon this subject, we shall only for the present observe upon what a slippery foundation the first principle of the constitution now stands, upon this REVOLUTIONAL ground ; where the parliament have vested themselves with a power to restrain the annual exercise of the elective power of the people by acts of parliaments.

The people of England received their elective rights from the law of nature and the constitution, TWELVE HUNDRED YEARS before William the Third favoured us with this Dutch amendment. But from this time the house of

commons began to act as principals, and to forget their relation to their constituents, as agents and deputies from a state formed upon a delegated power; and disposed of the elective rights of the people as they found it convenient for themselves. This was no less than admitting the principles of the rebel parliament, in restraining the elective power of the people by acts of parliament as the principles of the constitution; though such acts had never been heard of in the whole course of the English history before that period, and had then reduced the people to slavery for twenty years. Besides it was a second precedent where the house of commons had taken upon themselves to consent to a law to restrain the power of their constituents.

This was the more inexcusable, as at that time the nicest care should have been taken to have preserved the first principles of the constitution from violence, or the treachery of the representatives of the people who had twice before so basely betrayed their trust, that a remedy for short parliaments placed in the hands of the house of commons, was very evidently no remedy at all; for we find in the reign of George the First, the parliament repealed this TRIENNIAL law, and made another commonly called the SEPTENNIAL law, by which they gave

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themselves a duration of seven years. And in the reign of George the Second they made a conditional law which might have given them a duration for TWELVE years: and notwithstanding this law never took place, yet it is a fourth precedent in the English history, and a third since the revolution wherein the house of commons hath thought proper to restrain the elective power of the people by acts of parliament. To which we must add the qualifying law (which makes a fourth precedent since the revolution) whereby the elective power of the people is directed to the object they shall choose, which is now confined to the rich in land. Thus the house of commons, from being deputies in the state, formed upon the common rights of mankind, are now become principals; and control the creative power from whence they derive their authority: which is acting upon the very same principle by which the ancient Romans lost their liberty; when the consuls, who were in their constitution annually elective, continued themselves in power by their own authority, and consequently made the people slaves. The change that is made in our constitution by these laws, and the principles and operations that attend them, have totally changed the temper and spirit of our government, which we apprehend are the true cause of the general discontent

which hath been encreasing upon us for a number of years, and now distracts the whole British empire. CHAP.
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We have now had some years experience in the operation of the qualification law of Queen Ann, and the septennial law of George the First; which two laws have brought upon us many public calamities. The first we shall take notice of is, that aristocratical law, made in the reign of Queen Ann, by which all free elections for members to serve in parliament are destroyed; the electors being restrained by this law in their choice of representatives to the rich in land only.

Our government is founded upon the common rights of mankind, in which wisdom and honesty are the only qualifications necessary for a member of parliament; and so it continued down for twelve hundred years. This inspired our laws with an equal speech in favour of all men. But since this law moved our government from this ground, and made it a government founded upon riches, and these riches to be in land, it hath rested all our legislative authority in one class of men, the great freeholders; which has established an aristocracy, now become dangerous both to the crown and the people.

Our constitution knows no such partial law as this; every man born in England, that was



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an elector, had a right to give his vote where he pleased ; and every Englishman was eligible to serve in parliament, that his constituents thought properly qualified. The electors of our towns and boroughs we may constitutionally consider as men without land ; because they do not derive their rights of election by any right they have in the land, but as being Englishmen, and members, or inhabitants of some town or borough : and, therefore, their duty as electors, was to choose some eminent men out of their own body, whose interest was the same as the men without land. In like manner, the freeholders in every country used to elect some eminent men out of the body, whose interest was the same as the men with land.

Thus, we see our constitution hath drawn a clear line between the men WITH LAND, and the men WITHOUT LAND ; or, in other words, between the inhabitants of the towns, and the inhabitants of the rural part of the kingdom : and hath accordingly provided each with distinct powers of election, that they may choose proper men to represent themselves in parliament. But now by this law, all our boroughs and towns corporate, are obliged to choose none but rich freeholders ; so that when they meet in the house of commons, they are all men of one interest.



From this time, therefore, many of our subsequent laws, and especially those respecting property, trade, and taxation, have become partial law, and have been made to operate in a manner for the sole advantage of the rich in land. All laws will be partial that are made by only one part of the people; or in other words, by one class of the people. From this selfish principle, proceeds the partial, arbitrary, and tyrannical spirit of our game laws; so that now no man can either fish or shoot without having a qualification in land. Indeed all this tribe of laws are so pitifully partial, mean, poor, and wretched, that they would disgrace the petty tyrants of Barbary.

They have engrossed within a line of their own drawing, all hares, wild fowls, and fish, as well those which are foreign, as those which are natives of this kingdom; which in their own nature, being wild and wandering, and not subject to restraint, are therefore the natural right of the first man that can catch them. But these laws have not only subverted this natural right of mankind, but established their own with a bitterness little less than cruelty; for they are guarded and defended with the same selfish spirit that the most niggardly miser would guard his treasure; so that a poor man cannot entertain his longing wife with a gudgeon of his own catching, without being guilty of



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felony ; or kill a partridge without fine and imprisonment. Nay, more than this, no man dare touch one of these prohibited bodies, even when they are dead, under a penalty of five pounds, without being first franked with the hand of one of these qualified engrossers. In short, they have defended these laws with the same care, that we hope to see the house of commons defended from placemen, pensioners, and contractors ; that is, by all the locks, bolts, and bars, that the ingenuity of man can contrive or invent.

From the same selfish principle proceed all our taxes upon the necessaries of life, which so much distress the poor ; such as malt, hops, beer, soap, candles, leather, and the like ; and, indeed, upon almost every thing that they can eat, drink, or wear ; and all to save the land ; which has raised the price of the necessaries of life to such a degree, that the industrious poor can hardly get bread to eat. From the same cause arises the extraordinary advance of land, which is chiefly artificial, and proceeds from the favour it receives from the selfish spirit, introduced into our government by this law. These are the first law makers that ever appeared in the known world that were so notoriously partial to their own interest, as to give five shillings a quarter, or one eighth of its value out of the public money for the exportation of bread,



corn, out of their own country, the place of its growth ; which has increased their estates to five times their former value, and raised the price of all provisions, that are the produce of the land, to such an extravagant degree, that the poor rate now amounts to eight times the land tax of the whole kingdom.

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The value of lands, like commodities in trade, will rise and fall in proportion to the advantage that can be made of them ; and, therefore, their value will be in proportion to the value of their produce, so that nothing more is necessary to increase the value of the produce, than to increase the demand and consumption of it, and the value of land will rise of course. The price of provisions, which are the produce of the land, has at all times, or at least for a long time, been greater in England, than in any one country in Europe ; and consequently our poor have always eat their bread at a higher price than any other nation : and, therefore, our corn could never find a market abroad ; because it would fetch a better price at home. This being the state of things before this act took place, it would have been nothing more than common policy to have reduced the price of provisions, that our manufacturers might work upon the same terms as other nations. In some countries like Poland, where there is a large quantity of land, and few inhabitants, and few or no manufactories, the



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corn may be exported with advantage to the people ; when that is the case in England, (which God forbid) it may be exported, but not till then.

But this act of parliament which gives a bounty (properly so called) of five shillings a quarter, upon the exportation of wheat, has entirely inverted the order of things, and disappointed the end for which it was pretended to be made. It has indeed increased the growth of corn in this kingdom to a great degree, but it has, at the same time, forced the principal part of it abroad, for other nations to eat ; by reducing the price upon the exportation so much below the price of foreign markets. To illustrate this point, let us suppose the market price of wheat in Holland, and the market price of wheat in England, to be the same ; and we will call that price forty shillings a quarter. Now the exporter of our corn will receive from this price five shillings ; which is no less than one eighth of the whole value, or twelve and a half per cent ; and, therefore, his wheat will now stand him in twelve and a half per cent less than the market price in Holland.

Upon this ground, it is self evident, that, with this advantage, our merchants must beat the Dutchmen out of all the markets in the world ; for the latter can never sell his wheat at any Italian, or foreign market, against this English



bounty, so long as there is any wheat in England to sell. And were it not for the bar which puts a stop to the exportation, by a limited price fixed by this act, it would drain the kingdom to the last bushel, and create a perpetual famine in the land. But the Dutch, who are the greatest dealers in corn of any nation in the world, know how to work this matter to their own advantage, for they engross your wheat, and take the bounty to themselves, and then they can sell at a par with the English at any market; or keep it till they have drained your markets dry, and then sell it to you back again at any price they please: and hence it comes to pass, that we have such a constant scarcity at home, as puts it in the power of the proprietors of the little that is left, to advance the price of it to almost what they please.

The natural consequence of this increasing the value of provisions, is the increase of the value of land; which is now advanced to five times its former rental. Moreover, this bounty is to be paid out of the national funds, granted for the service of the state; and therefore, it is ultimately, neither more nor less than taxing the people to pay the landlord these extravagant rents. Where so many people were interested, as must be in an act of this nature, every thing would be said in its favour, that could either divert the attention of the people



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from the real object, or afford the best reason for its passing ; but the only reason we have heard worthy of observation in support of this act, is the quantity of money it hath brought into this kingdom. If money indeed be the sole object of government, and not the welfare of the people, and this money is to be directed into the pockets of any particular set of men, it might have some weight, but this never appeared to be the end of government, or the intention of any act of parliament.

The nobles, as observed before, exercise their legislative authority in person, from being great freeholders ; and, by the partial qualification law of Queen Ann, all the elective power in the house of commons is also vested in the hands of the great freeholders. From whence it is very evident, that this law has formed an aristocracy in our government, composed of the great freeholders of the realm. It always did happen, and always will be the consequence, that where one class of men gains an ascendancy in the legislative authority in any state, they will make use of their power as members of the legislative body, to promote their own interest as individuals ; and incline the laws to establish their power and interest at the expense of every other man in the state.

The second law we proposed to enlarge upon, was the septennial law of George the First,

which has confirmed the aristocracy introduced CHAP.
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at the revolution. Besides, this law hath removed the constitutional ground of the Englishman's boasted right of disposing of his own money for the service of the state, by electing a new house of commons every time the king wanted a new supply, and by vesting that power in a septennial house of commons, independent of the people. This was destroying that mutual bond of obligation between the king and his people, since the king was no longer obliged to his people to give their money, while the house of commons could take it away without their consent. It was creating in the house of commons a dependance upon the king for their continuance and not upon the people for their election. It was destroying that confidence between the commons and the people, which had been the support of the constitution for many ages ; and robbing the people of their remedy for all their grievances. It was, in effect, reducing the government to the same state as under Charles the Second ; for the injury done to the people was the same, whether they were deprived of their annual elective rights by the prerogative of Charles the Second, or by an act of George the First.

There is another matter that offers itself to our consideration in respect to these two laws, which upon the principles of our constitution

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could not subsist, and hath been productive of more evils than we shall here enumerate. However, we may assert that they have given an opportunity to six or seven hundred rich and powerful men, during the space of seven years, to display every passion that can distress a commonwealth, and make the people miserable ; as avarice, pride, malice, envy, and a love of power, which always will actuate established bodies in government so long as men are men.

And while places, pensions, contracts, and other emoluments, from the public treasury are attainable by members of the house of commons, they will be in danger of putting all those passions in motion, and of propagating perpetual mischiefs. A combination of these motives actuating the conduct of rich and powerful parties and factions formed and united together for their private interest, may obstruct the wheels of government to such a degree, as to throw the whole nation into confusion, in order to force themselves into offices of profit, trust, and power in the administration. By this means, the executive and legislative authority, which our constitution hath so carefully divided, may be confounded together, by being in the hands of the same men. Under this circumstance, the people of England would be reduced to the same condition as the fish in the sea ; where the greater are continually devouring the less.

Sir Robert Walpole was the great father of corruption; he contaminated the whole nation with a venal spirit, and made the generality of our boroughs rotten to the very heart. The guilty numbers now give countenance to the act, and boldly open their hands to the bribe, and think themselves no longer infamous. Hence perjury, bribery, and corruption are diffused through the whole body of the nation, by the same channels that contain the elective power of the people, who now no longer return to the great council of the nation, the wise, the just, and the honest man, but any man that can bribe the highest. Let us then return to the principles of our constitution, for most undoubtedly free and unrestrained annual elections are the grand and sovereign remedy for such a malady, as they would at once put an end to all buyers, and consequently to all sellers. But so long as these two laws remain unrepealed, it will not be in the power of the best and wisest king that ever lived, to govern this kingdom with peace to himself, and satisfaction to his people.

There is not a more dangerous doctrine that can be adopted in our state, than to admit that the legislative authority hath any right to alter the first principles of our constitution by acts of parliament. Upon this foundation they may mould it into what shape they please; and in the end may make us slaves by law. The house

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of commons are constitutionally a body of men merely passive with regard to their creation, duration, and dissolution; and therefore have by no means any consent to give to their own duration even for an hour. Neither did they ever pretend to such a power through the whole course of our history, before the rebel-house of commons in the reign of Charles the First; who taught future adventurers the way to destroy the constitution, and make slaves of the people.

We shall therefore not hesitate to date the decline of our constitution from the REVOLUTION; because the principles of the rebel-parliament of restraining the exercise of the elective power of the people by acts of parliament were adopted in the constitution at that very critical period of our history. Hitherto it had only the prerogative of the crown to struggle with (save in the single instance of the rebel-parliament above mentioned) but at the revolution, which brought William the Third to the crown of England, he and his parliament began the practice of restraining the elective power of the people by the legislative authority. A power that might become ten thousand times more dangerous to the elective rights of the people than the crown could ever possibly be; for whenever the active parts of a government founded upon the common rights of mankind, shall usurp a power to restrain or destroy those

rights from whence they derive their authority, that state is not far from destruction. CHAP.
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Thus the primary law of our constitution, the first principle upon which it was founded, which had stood the test of twelve hundred years, and been the admiration of many ages, was now reduced to the common level of a nuisance, to be connected by acts of parliament. What had the free spirit of our constitution done to deserve this severe correction? Had it too well defended the rights and privileges of the English people? Had it too well defended the persons and property of the subject? Had it too well confined the expense of government to the necessities of the state? Had it too well prevented the public money from being misapplied, embezzled, and given away in useless places, bribes, pensions, and extravagant contracts; that it was now to fall a sacrifice to this political aristocratical law?

To deduce our rights from the principles of equity, justice, and the constitution is very well; but equity and justice are no defence against power. You must take your constitutional rights under your own protection—and that quickly too, or they will be lost for ever. Protect and defend them as the apple of your eye from danger, or as you would your wife and children from destruction: and never desist from using every legal remedy till you have estab-

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lished them upon a foundation never more to be shaken, either by prerogative or acts of parliament.

We shall beg leave to conclude this part of our subject by offering a few observations upon the principles and power of acts of parliament, respecting their restraining and destroying the annual elective power of the people. First it appears from what has been said, that this annual elective power, the first principle of our constitution is a right of inheritance, which was brought into England by our Saxon forefathers at the first establishment of the Saxon mode of government in this island; and which the people hold by the ancient common law of the land: and which they had enjoyed from generation to generation for twelve hundred years, before the reign of William the Third. And therefore this elective power of the people may be truly called their constitutional right of inheritance; an inheritance that can no more be taken from them or restrained justly, than any estate in land can be taken from the right owner.

Justice is an essential attribute of law. Were the king, lords, and commons, to make an act of parliament to take away our estates, it would only be an act of power; for it would want that essential attribute to make it an act of law. The injustice done us would vitiate the act to such a degree, as to make it void in itself. And

therefore all acts of parliament that diminish the elective power of the people, must be acts of power, and not acts of law; because they take away from the people of England an inheritance more valuable than the greatest estate—an inheritance that comprehends the dignity, welfare, and happiness of all the people in the British empire.

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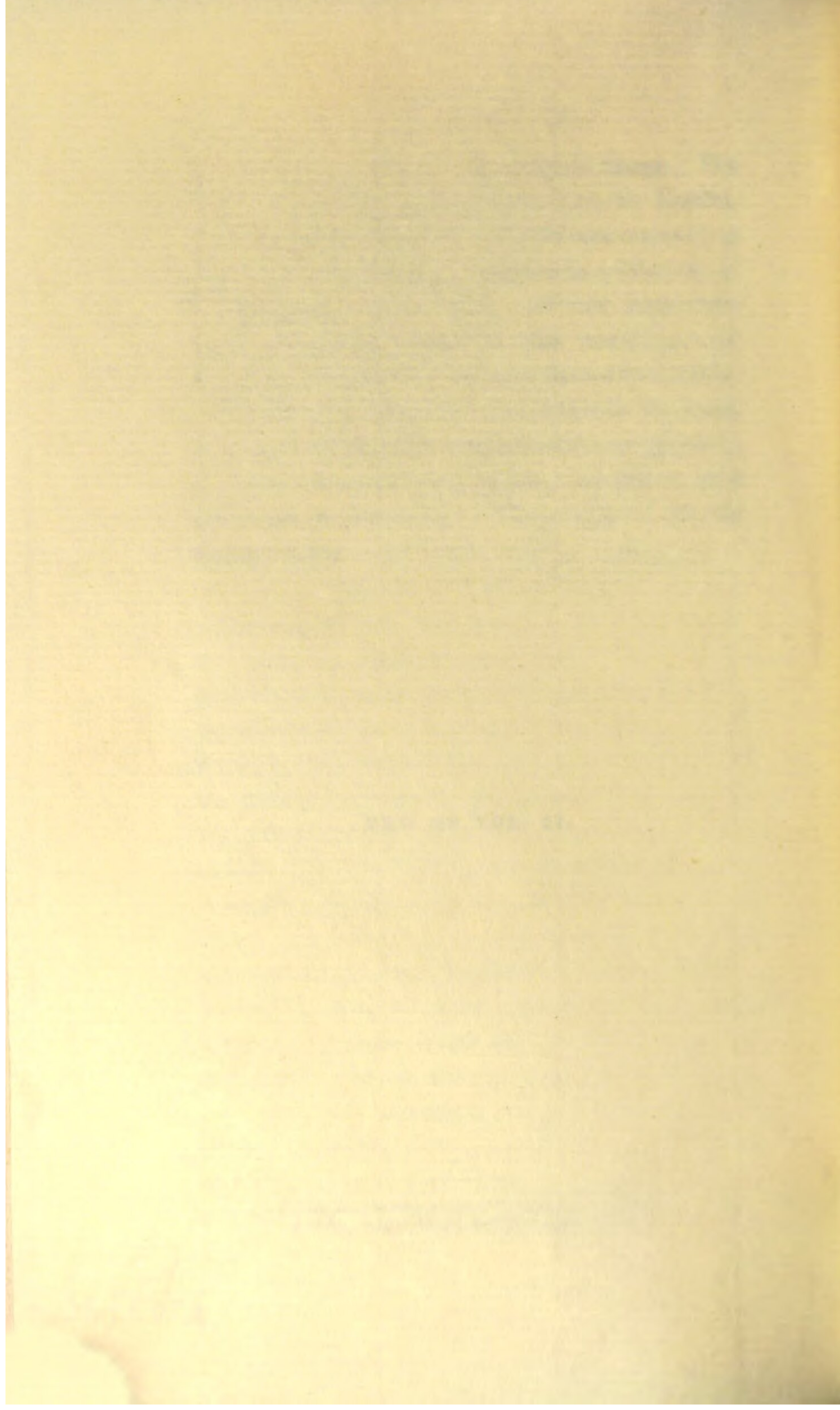
We take it for granted, that the house of commons would not admit that the king, or the king and lords, have any right to restrain or destroy the elective power of the people, and govern without them. Who then can do it? Surely no man will say that the people either can or would delegate to their deputies, a power of destroying or restraining that elective right which is the foundation of their liberty. If the house of commons be vested with a power to consent to such a law, then our constitution hath established a power to destroy itself, and made the rights of the elector depend upon the will of the elected; which is an absurdity too ridiculous to mention.

Our legislative authority is, by its own nature, confined to act within the line of the constitution; and not to break through it. Because the house of commons is only vested with a trust by the people, to the end they may protect and defend them in their rights and privileges; and therefore it is a contradiction in terms, to say they have a right to consent to a

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law that may restrain or destroy them. We think it as plain as any proposition in Euclid, that the house of commons could not consent to such a law, without a notorious violation of the trust reposed in them. If our legislative authority be not bound by this constitutional rule, we have been in a dream from the foundation of its establishment: and if this be the case, why do we talk of our constitution in general; or of our constitutional rights, privileges, and franchises in particular? They are mere sounds without sense, and words without meaning.

END OF VOL. II.



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